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Senate

The Senate met at 2 p.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, You set before us each day a bountiful table of blessings. We accept Your gracious gifts with joy, desiring to use them in Your service.

Empower our Senators to engage in work worthy of their high calling. Lord, make them open even to the words of people with whom they expect to disagree, as they remember that no one has a monopoly on the truth. May they work together to discover Your providential purposes for our Nation and our world. Keep them close to You and open to one another so that this will be a week of substantive progress.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER (Mr. KING). The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 28, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. KING thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the nomination of Pamela Harris to be U.S. circuit judge for the Fourth Circuit, postcloture. The time until 5:30 p.m. will be equally divided between the two leaders or their designees. At 5:30 p.m. the Senate will proceed to a rollcall vote on confirmation of the nomination. Immediately upon disposition of the Harris nomination, there will be four voice votes on the following nominations: Elliot F. Kaye to be a Commissioner of the Consumer Product Safety Commission; Elliot F. Kaye to be Chairman of the Consumer Product Safety Commission; Joseph P. Mohorovic to be a Commissioner of the Consumer Product Safety Commission; and Brian P. McKeon to be a Principal Deputy Under Secretary of Defense.

ORDER OF PROCEDURE

I ask unanimous consent that upon disposition of the McKeon nomination, the Senate resume legislative session and consideration of S. 2569, the Bring Jobs Home Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 2666

Mr. REID. Mr. President, S. 2666 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (S. 2666) to prohibit future consideration of deferred action for childhood arrivals or work authorization for aliens who are not in lawful status, to facilitate the expedited processing of minors entering the United States across the southern border, and to require the Secretary of Defense to reimburse States for National Guard deployments in response to large-scale border crossings of unaccompanied alien children from noncontiguous countries.

Mr. REID. I object to any further proceedings with respect to this matter at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

EMERGENCY SUPPLEMENTAL

Mr. REID. Mr. President, our great country has many friends in the world. We are proud of all the alliances we have, but certainly our deepest attachment is that which we have with Israel. The United States and Israel have stood by each other in good times, in bad times, in times of peace, and in times of war.

Right now our friends in the State of Israel are under attack. Hamas continues to indiscriminately fire thousands of rockets into Israel with the sole objective of inflicting casualties on somebody—anybody.

I was watching ''NewsHour.'' Every Friday they have a commentary, usually by Shields and Brooks. Shields is supposedly the Democrat and Brooks the Republican. David Brooks said so descriptively that he had never seen a conflict or read about a conflict in the past where one of the participants said: Kill some more of my people.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

That is what Hamas is saying. When Hamas fires these rockets, Hamas has no idea whether they will land at a military installation—they hope; a daycare center; they don't care or an empty parking lot; they don't care. They are firing these rockets indiscriminately.

Israel doesn't have the luxury of not worrying about where these rockets land. It must respond swiftly in shooting down all rockets or else risk serious harm to its people. In thwarting these rocket attacks, Israel depends on what is termed and named the ''Iron Dome.'' It is a missile defense system. But as the number of rockets being launched from Gaza continues to surge, Israel's Iron Dome resources are necessarily being depleted.

Last week U.S. Secretary of Defense Chuck Hagel requested that Congress allocate $225 million of emergency funding to help Israel reinforce its defense system. After 3 weeks of fighting Israel needs these funds to replace the weaponry it has used to destroy Hamas's incoming rockets. But there is no guarantee that Israel won't need our help again if this conflict continues for weeks or months. What this funding does do for the time being is it provides Israel with the resources to continue defending its people against these terrorist attacks.

Last Thursday the Republican leader urged the Senate to act quickly in approving the Defense Secretary's request. I agree with my friend the Republican leader. We must pass legislation providing Israel with this critical aid, but in my opinion the $225 million being requested is only temporary. If Hamas continues to escalate this conflict, Israel's resources—including the funding requested by the Secretary of Defense—will quickly be depleted.

With its current number of batteries, Israel has to prioritize populated areas and strategically important locations. The Iron Dome is a mobile system. They have to move it around. That means, unfortunately, there are some Israelis still susceptible to Hamas's rocket attacks.

We should not give the Israeli people the minimum amount of aid and then cross our fingers and hope it all works out in the future. Each missile battery costs Israel about $50 million. Each missile Israel shoots to knock down one of those rockets from the Gaza Strip costs about $62,000. Hamas has already fired 2,500 of those rockets in just 3 weeks. As we speak, they are going out and continuing to fire them. As we know, they are located in schools, in neighborhoods. They are hidden all over—in mosques.

Taking into account what Israel actually needs to adequately protect its people, the United States and other allies should consider providing more aid to do more for the Iron Dome. Our Israeli friends shouldn't be in the position of picking and choosing which parts of the country to defend.

The United States of America should live up to its commitments, particularly with our friend Israel, which happens to be the only true democracy in the Middle East. We can do better and we need to go further in protecting Israel.

That being said, it is critical that we approve the money requested by Secretary Hagel now. Coming to the defense of Israel is not a partisan issue; it is an American principle. Both Democrats and Republicans should agree on this measure.

Another issue we can all agree on is the emergency funding requested by the White House for what is going on in the western part of the United States. We should pass this immediately.

Over the past month or 6 weeks the State of Oregon has been on fire. Hundreds of thousands of acres have burned. In one of the sparsely populated parts of the State of Washington, more than 500 homes have been destroyed. Wildfires are all over. They are in Nevada. They are in California. The base of the Sierras has a big fire going in California, and about 1,500 acres have burned already. There is a fire now going on in Idaho. Oregon is on fire. There are numerous fires in Oregon. Every day there are reports of more and more wildfires—lightning, negligence of somebody who threw out a cigarette. These fires are very oppressive. In the State of Nevada wide areas have been burned. The sad part is that once these fires are over, we will have many native species that will have been wiped out, and what will come back are invasive species, which is really not what nature intended.

We should work in the Senate on quickly putting together this funding. We have the request. It is certainly a good request, and we should get this emergency funding to the States so they can be protected. When I say ''to the States,'' right now we have more than 4,000 firefighters out there. There is an army out there fighting fires. It is very dangerous, as we know. Every year people are killed. We know what happened in Arizona just 1½ years ago where 21 people who were fighting fires were burned in a devastating fire. They were dead in a matter of a few minutes.

Americans living in these areas are in dire need of the Federal Government's help. There is no reason to delay getting aid to our own people.

So as we begin this week, I am hopeful the Senate will also move quickly to pass legislation to aid Israel, emergency funding for wildfires, and the border supplemental.

The truth is, if the House of Representatives would vote on the Senate-passed comprehensive immigration reform bill, it would give Border Patrol the resources it needs to address this humanitarian crisis that is now on the border. That is true. But my Republican friends are slow-walking this, to say the least. The senior Senator from Texas proposed a solution to this crisis. Once again, the legislation is a short-term fix and does nothing to address the crisis at the border, while putting vulnerable children in harm's way.

We should approve funding for these three very important measures, and we should do it immediately. We should do them—separately, together, we have to get this done. Leaving here with Israel being naked, as they are, with these wildfires raging, and the crisis at the border—it would be a shame if we did nothing.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NOMINATION OF PAMELA HARRIS TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume the following nomination, which the clerk will report.

The bill clerk read the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IMMIGRATION

Mr. NELSON. Mr. President, I am here to talk about some complex litigation on Chinese drywall. But before I do, this week seems to be the week if we are going to get anything done to assist the administration with regard to all of these children showing up at the border. It has diminished over the last few weeks. Nevertheless, there has still been an influx that we have all read about. Senator MIKULSKI, the chairman of Appropriations, has roughly a $2.7 million supplemental appropriations bill. It would be this Senator's intention—and I think I can speak for several other Senators who feel very strongly—that we have not addressed the very root cause of the problem, which is that the drugs in huge shipments on boats coming from South America into those three Central American countries with boatloads of cocaine, carrying 1 to 3 tons of cocaine apiece, have not been interdicted. It was riveting testimony that our four-star Marine commander General Kelly of the U.S. Southern Command pointed out that he, his staff, and the

Joint Interagency Task Force that is headquartered in Key West have to watch 75 percent of those boats coming in from the Caribbean in the east into Honduras, Guatemala, and El Salvador and the Pacific on the west—they have to watch 75 percent of them get through. They cannot do anything about it because they don't have the Navy ships or the Coast Guard cutters with the helicopters that can interdict them. If we did that we would diminish a lot of the flow of those drugs. And you wonder why are all the children showing up. A number of us have made several speeches about this and I will not go back into all of that. Suffice it to say that the drug lords basically control the countries because they are in cahoots with the criminal networks that have taken over and violence has erupted.

Remember, Honduras is the No. 1 murder capital of the world. What is a parent going to do? Their child has to join the drug gang or they are going to go to their child's funeral because they will kill him if he doesn't.

No. 3, they are seduced by these coyotes who have this network to get immigrants to the north into Texas, and they are telling them they can get in—just send your child. You pay me $1,500, $5,000 a child; we will get them in. Now that is going back to the root cause of the problem. If we stop all the drugs going in, maybe governments such as that of President Hernandez of Honduras will have a chance of stopping some of the corruption that is so rife in that government and the local governments and the local police forces.

We have gone over and over this before, and I just want to say that this Senator and others—particularly Senator KAINE who knows this issue well. He was a missionary when he was in law school. He took a year off from law school. Senator KAINE of Virginia lived in Honduras. He speaks fluent Spanish. He knows this problem as well. If we could have a greater percentage of those drugs interdicted, then we would seriously start to diminish all of this migration to the north through the rest of Central America and through Mexico to the Texas border.

In closing, why are the children not coming from the other three countries right there—Belize, Nicaragua, Panama; Costa Rica, a fourth country—in Central America? The children are not coming from those areas. They are coming from the three where all the drugs are and where the drug lords have taken over. I hope the Senate will react with some rationality, and as difficult as it is going to be to pass a supplemental appropriations bill down at the other end of this hall in the House of Representatives, putting money in there to activate Coast Guard cutters—there are a number of them out in San Diego that are inactive—activate them and give the U.S. Navy the ability to reposition ships—it might actually help us pass this supplemental appropriations bill down there at the other end of the hallway in the House of Representatives. We have just a few days to pass this. I am hoping we are going to be able to do so.

CHINESE DRYWALL

I came to the floor to tell you about Chinese drywall. You cannot see it. This is a normal piece of drywall. It is cut off here. It is very faint on this picture I have in the chamber where you can see the marking that this is from China. This photograph doesn't tell us much, but let me tell you what Chinese drywall has done to the people of this country, making them unable to live in their houses because there is some kind of sulfuric content in this Chinese drywall that emits a gas and the occupants of a house such as this get sick. I can tell you what it smells like. It smells like rotten eggs. I have such sensitive air passages that when I walked in, all of a sudden my eyes were watering, my nose was stopping up, and I was starting to cough. That was just a few minutes in a house with Chinese drywall.

If you can imagine, what if somebody cannot sell the house because the mortgage company will not cooperate. They are stuck. They cannot sell their house because who is going to buy a house with defective Chinese drywall. They cannot get a loan for their house. What would have happened if back at the severe time in the 2004–2005 timeframe—and then they got hit with a big recession coming in 2007, 2008—what would have happened if they didn't have a job and were stuck with the house and everybody was getting sick in the house?

The Chinese Government has had continued and repeated failure to participate in the legal process of this country to help the homeowners who were severely impacted by this problem with Chinese drywall.

Here is how it started. We had a few hurricanes in 2004 and 2005. The big one everybody remembers is Katrina in 2005, but there was one year before Katrina when four hurricanes hit the Florida Peninsula all within the span of a month and a half. Therefore, there was a lot of cleanup and a lot of rebuilding because of the damage the hurricanes had done. Normal drywall manufacturers and distributors and suppliers ran out, so they asked for extra drywall coming from China. It was coming from a Chinese company, but it was basically owned by the Chinese Government. So we had a housing boom to recover from the hurricanes, and as a result we had in the gulf coast area these rebuilding efforts to recover.

A number of builders and contractors imported this defective and sickly drywall. It started causing problems the minute people walked into the repaired home. They reported that it smelled like sulfur, rotten eggs. They would have metal corrosion. Let me show you a picture of an air-conditioner. This photograph doesn't do it justice, but these are all the coils on the air-conditioner, and on close inspection we can see that every one of these coils—these metal parts—are corroded.

I went into a home that had their silverware—the silverware—totally corroded. Any metal parts in the house were totally corroded. People started reporting the health effects, and following all these reports several Federal agencies, including the Consumer Product Safety Commission, the Environmental Protection Agency, the Department of Housing and Urban Development, started looking into the problem.

I must say there were a number of Senators who had to start kicking down the door to get them to pay attention. This Senator from a State that was severely affected was one of them, and the Senator from Louisiana who sits right here. After she had all the problems of Hurricane Katrina, the Senator from Louisiana, Ms. LANDRIEU, started raising Cain, and they found that this sulfur emission from this defective drywall was causing the corrosion and the property damage as well as the health effects. But these agencies, once they did that—and I must say we had to urge and urge and urge the agencies, but they weren't able to offer any kind of financial assistance.

As I laid out in my opening comments, what was a homeowner to do. They couldn't get the bank to go along. They couldn't get the insurance company to go along. By the way, the insurance company said: We are not covering this as a defect in the house. So the homeowners didn't have any other recourse than to join a lawsuit against the responsible Chinese parties. Much of this litigation was consolidated in Federal district court in New Orleans in a multidistrict litigation. After an extensive period of discovery, the judge ordered it was determined that two Chinese manufacturers and their affiliates were responsible for most of the problem drywall: Knauf Plasterboard Tainjin and its associated affiliates, Knauf Industries. Knauf was a German company that imported and distributed this drywall. The other one was Taishan Gypsum Company and its affiliates.

The Knauf entities agreed to appear in court on this litigation. Knauf reached a global settlement that allowed many of the homeowners with Knauf drywall to remediate their homes, get the plasterboard torn out. They often had to redo anything that was metal, such as pipes, air-conditioners, and so forth, and be able to get on with their lives.

Taishan has refused to participate in the multidistrict litigation, despite the fact that several of the plaintiffs in this litigation served Taishan officials in China. This Senator went to China and talked to their equivalent of our Consumer Product Safety Commission. Early on I talked to them, and in essence they blew me off. They were served legal process in the lawsuit

under an international agreement called the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters. It is the Hague Convention, of which the United States and China are both signatories. Taishan thumbed its nose at everybody and failed to appear in court in cases where they had been properly served under the Hague Convention. The judge in this litigation then entered default judgments against Taishan for damages resulting from the defective drywall.

Listen to this. Rather than pay these claims under court order, Taishan then retained counsel. They refused to do anything up to that point. When they were docked by the judge, they retained counsel in the United States for the sole purpose of contesting the district court's jurisdiction and they appealed the case to the court of appeals.

In January of this year a three-judge panel of the Fifth Circuit unanimously upheld that the U.S. courts had proper jurisdiction over Taishan and could enforce the default judgment. In addition, Taishan let the time limit to file an appeal with the Supreme Court expire. You would have thought this would have spurred this Chinese company and its affiliates to do the right thing and finally reach a settlement, but, unfortunately, they thumbed their noses again.

Instead, Taishan told the district court's Federal judge that it was walking away and would no longer make any appearances in the court.

Well, there is a judge down in New Orleans named Judge Fallon, and needless to say that didn't go over too well with him. In July—earlier this month—Judge Fallon issued an order holding Taishan in both civil and criminal contempt. He enjoined Taishan and any of its affiliates from conducting business in the United States until it participates in the judicial process. He also took the unusual step—because he wanted everybody in the U.S. Government to understand the gravity of his order—to send the contempt order to the U.S. Attorney General, the Secretary of State, and Members of Congress to express his frustration on how Taishan—and therefore the Chinese Government—was flouting international and U.S. law. I am very grateful to Judge Fallon. He has taken this action to ensure that this rogue company and its rogue government are prohibited from conducting any business in the United States until they participate in this judicial process and take responsibility for their actions.

We can't issue that against the Chinese Government. It is against this company and its affiliates. But make no mistake. This company is owned by the Chinese Government.

What does this say about our policy of letting Chinese manufacturers import pretty much any kind of consumer product they want into this country without mandating any legal recourse if something goes wrong? We thought that was covered under the Hague Convention. What does this say about Chinese companies that routinely ignore service of process under ratified international conventions?

The reason for this speech is to call on Taishan and the Chinese Government to do the right thing: Stop hiding and finally help the homeowners who have had their lives turned upside down at great financial and personal health loss by your defective product. If they don't, then I think it is time for the Senate to take action to make sure the Chinese and other foreign manufacturers are held financially accountable for defective products.

As I close I wish to reiterate why this case is so important. My constituents are certainly aggrieved, as are Senator LANDRIEU's constituents and a number of constituents in the Commonwealth of Virginia, by this defective drywall.

Why is this case so important? Its implications are far broader than the issues presented in this litigation. It poses a defining moment for the Chinese Government and its companies, which raises grave questions as to the risk of doing business with the Chinese.

Will the Chinese Government and its companies honor their moral and legal obligations under this or any other commercial contract? Will the Chinese Government and its companies which have profited from the sale of defective products to consumers here in the United States continue to flee court jurisdiction when sued or will they honor moral and legal obligations to appear in court, defend themselves, and satisfy an adverse judgment?

If the Chinese Government and its companies will flee jurisdiction in this case, when they fear or are faced with an adverse judgment, can any company or any individual or any party afford the risk of doing business with the Chinese Government or its companies?

If China will run from the law here in the United States, will it not run from the law everywhere else?

I rest my case, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

IMMIGRATION

Mr. SESSIONS. Mr. President, we are entering a momentous week. Congress must face the reality that President Obama is moving towards a decision whereby he would issue Executive orders in direct contravention of long-established American law that would grant administrative amnesty and work permits to 5 to 6 million persons who are unlawfully in this country. This is after Congress has explicitly refused demands to change the law to suit his desire.

The current law is plain. Those who enter this great Nation by unlawful means, or who overstay their visa, are subject to removal and are ineligible to work. Indeed, I will read one portion of the Immigration and Nationality Act, section 274, which makes employment of unauthorized aliens unlawful. ''In general, it is unlawful for any person or other entity to hire or to recruit or refer for a fee for employment in the United States an alien knowing the alien is an unauthorized alien.'' That is the law of the United States.

It is plain. Those who enter by unlawful entry are subject to removal and ineligible to work. That is just one of the provisions, and it is our law. Our law is right and just, and it comports with the laws of civilized nations the world over, and if followed, will serve the honorable and legitimate interests of this Nation and her people.

The National Journal, Time magazine, The Hill, and others, are reporting that by the end of summer President Obama—sore at Congress, and by implication at the American people—plans, by the stroke of a pen, to do what the law expressly forbids: to provide amnesty and work permits for millions. This would be in the contravention of his duty and his oath to see that the laws of the United States are faithfully enforced, and it would be a direct challenge to the clear powers of Congress to make laws.

Congress makes law and the executive branch executes those laws. It is that simple. The President's actions are astonishing and are taking our Nation into exceedingly dangerous waters. Such calculated action strains the constitutional structure of our Republic. Such unlawful and unconstitutional action, if taken, cannot stand. No Congress—with Republicans or Democrats in the majority—can allow such action to occur or to be maintained. The people will not stand for it. They must not stand for it.

Mr. President: My petition is that you pull back. It is utterly unacceptable for you to meet with special interest groups, such as the National Council of La Raza and others, and then promise an action to them that is contrary to law. Such actions would be wrong. It would be an affront to the people of this country which they will never forget. It would be a permanent stain on your Presidency. I urge you to make clear you will not do this.

I am not suggesting negotiations or any parley or any compromise. There is no middle ground on nullifying immigration law by the President. Some of your people—maybe bright, young staffers—think the President can intimidate Congress, that the Chief Executive can make such a threat and the lawmakers will just cower under their desks. That is wrong, sir. You cannot intimidate Congress—or the American people who sent them here, for that matter. Simply put, that which you desire is beyond your lawful reach. This is the time for administration officials to urge restraint within the White House. It is critical that the Attorney General, the Secretary of Homeland Security, and the White House legal counsel do their duty and give the only advice they can give: ''Do not do this, Mr. President.'' ''You cannot do this, Mr. President.'' That is what they need

to say. They know that is the right answer, and they should stand up and say no.

Some of the best work advisers can do is to head off a disaster before it happens. CEOs, business types, politicians, Governors, and mayors get headstrong sometimes. In those instances, to avoid disaster, their advisers need to stand up and be counted.

Just as the unlawful DACA amnesty for young people created an unprecedented and unlawful flow of more young people, that initiative has now, it seems, encouraged the President to take even more unlawful action for millions of adults this time, the papers say, by a 10-fold increase. If millions are given amnesty by Executive order, we can be sure that the result will be that even more adults—by the millions—will be coming here unlawfully in the future.

It will collapse any remaining moral authority of our immigration law and undermine the sovereignty of our Nation. If you don't have a legitimate, lawful system of immigration that you can enforce and abide by, then you have undermined the very sovereignty of your Nation. It amounts, in effect, to an open borders policy that has never been the policy of any developed Nation that I am aware of and has been rejected by Congress and the American people repeatedly.

In effect, the President is preparing to assume for himself the absolute power to set immigration law in America: Well, I'll just enforce what I wish to enforce, with the absolute power to determine who may enter and who may work, no matter what the law says—by the millions.

Our response now is of great import. It will define the scope of executive and congressional powers for years to come. If President Obama is not stopped in this action and exceeds his powers by attempting to execute such a massive amnesty contrary to law, the moral authority for any immigration enforcement henceforth will be eviscerated. Anyone the world over will get the message: Get into America by any method you can and you will never have to leave.

We are almost there, but it is not too late. I have studied this issue. It is absolutely not too late for us to restore a lawful system that treats applicants who come to America fairly and serves the national interest. This can be done; we just need a Chief Executive who leads.

Let me state a warning.

For the more purely political in Washington, the results of the recent primary elections show that the American people are being roused to action and, once activated, their power will be felt. They will not be mocked. They have begged and pleaded for our Nation's immigration laws to be enforced for 30 or 40 years. The politicians have refused—refused, refused, refused. They have defeated amnesty after amnesty after amnesty, and they will not sit back and allow the President to implement through unlawful fiat what they have defeated through the democratic process. They must not yield to this.

There is one thing that powers in Washington fear, and that is being voted out of office. Before a Member of Congress acquiesces to any action of this kind, they should consider their responsibility to their constituents.

No Member in either party—Republican or Democrat—should support any border legislation that moves through this Senate that does not expressly prohibit these planned executive actions by the President, and that prohibits any expenditure of funds to implement them. There can be no retreat on this point. We simply need to say the Chief Executive of these United States cannot expend any money to execute a plan of amnesty. Surely that would end it.

All of this is grim talk, but the situation is stark. Congressional action this week to bar unilateral, imperial action by the President is surely the best course to head off what could be a constitutional crisis. It will be good for the President because it will stop him from taking a step that will permanently mar his Presidency and the office of the President. It will avoid a major governmental disruption at a time when the Nation faces many threats. It will protect the rule of law and the constitutional order whereby Congress makes laws and the President executes them, whether he likes them or not.

We have heard it said the President must act because Congress refused to act. Well, that is not so. Congress considered his proposal, they looked at existing law today, and Congress made a decision. They did not pass what the President proposed. They decided to stay with current law. So I would say that is a decision and a clear action by Congress. And his statement that Congress doesn't act; therefore, I can use my pen to act—it is not correct. It is absolutely false and contrary to our constitutional traditions.

Pulling back at this time will avoid a major governmental disruption at a time when we are facing threats all over the world. There is much instability. As someone said, the wheels seem to be coming off in every area of the globe and at home. The last thing we need is a major, intense, internal battle with the President over illegal actions he would like to take.

It will also help reestablish the constitutional power of Congress to make laws and perhaps mark the end of this Congress's acquiescence to executive overreach.

Professor Jonathan Turley has expressed amazement that Congress has been silent in the face of some of the most imperial Presidential actions ever, and he explicitly considers President Obama's actions on immigration to be one of those. But there are a host of others.

It will stop millions of work authorizations for those who would then be able to take any job in America at a time of high unemployment and falling wages. In this way, standing up to the President's action would protect American workers. We have the largest percentage of working-age Americans who are unemployed since the 1970s, and people need to know that a lot of the recent job numbers that are cited with such positive spin include unprecedented numbers of individuals on part-time work. These are not full-time jobs, many of them. An unprecedentedly high number of those jobs are part-time jobs. We are not doing well. This country does not have a shortage of labor. It just does not. It has a shortage of jobs. And recent immigrants—Hispanics and others who are coming to America—are having a hard time getting jobs too. Would it help them to have millions more competing for the limited number of jobs out there? Would it help poor working people all over America? Would it help African Americans? The experts tell us absolutely not. In fact, the Congressional Budget Office has told us that if this kind of mass amnesty were to be adopted, wages in America would fall for a decade.

So let this clearly be known: The Congress of the United States and the President of the United States are given only limited powers by our Constitution. They are not unlimited. Neither the President nor Congress can do anything it wants to do. It was set up that way from the very beginning.

Mr. President: You work for the American people. They don't work for you, and they will not accept nullification of their law passed by their elected representatives. The American people are not going to accept it. They are going to fight this. I am confident they will. They will resist.

Every Member of this Congress—Republican or Democrat—will face a time of choosing this week. Directly or indirectly, every Member will be asked to support and cosponsor legislation that would stop these actions by the President. It is not hard to do. It will be a simple choice that people will remember: Do you support and approve the President's proposed actions? For those who cosponsor legislation to stop this illegality, their answer will be clear. For those who refuse to take simple action to stop it, they will have voted to enable what the National Journal has rightly called ''explosive action'' by the President. ''Explosive action.'' And, indeed it is. This immigration debate is important. People have invested time and energy and heart and soul into it, on both sides. Good people have debated it. Congress has made a decision. The President is not now entitled unilaterally to assert his position. Indeed, he told some of these activist groups not long ago that he did not have the power to do what they were asking him to do. Now he suggests he does before the end of the summer.

So I am calling on all Members of Congress today to stand up to these

lawless actions and sponsor legislation that will block them. I am calling on all Members of Congress today to oppose any border supplemental that does not include such language. I am calling on every person in this body, and in the House of Representatives, to stand and be counted at this perilous hour.

I am calling on the American people to ask their representatives: Where do you stand on this, Senator? Where do you stand on this, Congressman? All of us were elected by American citizens to serve them and to serve and honor their Constitution that is our birthright. Will we answer that call? Where will history record that each of us stood at this important time? I believe the answer should be clear: We stand for law. We stand for the Constitution. We stand for an honorable, lawful immigration system that treats everyone fairly and serves the national interests of the people of the United States.

I thank the Chair and yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHWAY TRUST FUND

Mr. WHITEHOUSE. Mr. President, I am here because in the next week we are going to, it looks, vote on a House-passed bill to prevent an impending highway funding gap. We must pass this bill to avoid funding disruptions and to avoid all the job losses that would follow from funding disruptions, all of which could begin literally in weeks if we did not pass the bill.

But I have to say the House highway bill is woefully inadequate. It is, frankly, a pathetic measure. It fails at virtually every measure, most particularly failing to provide the leadership and the certainty all of our States need so badly as they seek to implement their highway programs.

The only positive thing that can be said about this bill is it is better than no bill at all and a collapse of the highway fund. But that is not much of a commendation. The American Society of Civil Engineers gives America's roads a letter grade of D, our bridges only a C-plus.

In my State of Rhode Island, we have been around a long time. We were one of the founding Colonies. We have a lot of old roads, a lot of old infrastructure. We have a lot of stuff that dates a long way back. Our infrastructure, for that reason, is among the worst in the Nation, with 41 percent of our roads in poor condition, 57 percent of our bridges rated deficient or obsolete.

Last Friday I visited one of our bridges, the Great Island Bridge in Narragansett, RI. This bridge is the sole access to an island community of 350 homes. It has been rated functionally obsolete and it must be replaced. If that bridge fails, the island's residents have no way to get to or from their homes.

I will vote for this House bill to avoid that kind of catastrophe. But we are wasting an opportunity to do more, to do a responsible highway bill. We actually have a pretty good model. The Senate Environment and Public Works Committee, on which I serve, actually passed a bipartisan, multiyear infrastructure investment plan. That is what we need. A 6-year bill is what EPW passed. That is the kind of certainty our highway departments need so they can sign contracts for long-term projects.

Sadly, the Republicans in the House could not manage that. The House-passed bill will extend the authorization for a mere 8 months. The EPW bill, the 6-year bill written by Chairman BOXER and Ranking Member VITTER, in bipartisan fashion would reauthorize our Nation's highway programs for 6 years, through 2020.

Our committee has done its part to move a 6-year bill in the regular order, in a bipartisan fashion. The House, once again, has failed. States need budget certainty to plan multiyear construction projects. That should be obvious enough even for the House to understand. To the millions of Americans who depend on Federal highway funding, either directly or indirectly, for their paychecks, for their livelihoods, the paltry 8-month extension says to them and their families: You have work until next May. That is not what these workers need and that is not what our 50 States need. They need long-term certainty, and this bill fails them.

I plan to support the Carper-Corker-Boxer amendment which would force that debate this year so we do not go home at the end of this Congress without having passed a serious highway bill. There is no reason the American people should have to wait until 2015 for the certainty and security of a long-term highway bill, plus no guarantee we will do it even in 2015. If the House cannot do a long-term bill now, what makes them think they can do a long-term bill later? Let's roll up our sleeves and pass a long-term highway bill this year.

The House bill also fails to provide any real solution to highway funding, to the widening revenue gap in the highway trust fund. The Federal gas tax of 18.4 cents a gallon is not indexed to inflation and Congress has not touched it in 20 years. So it should be no surprise that it is no longer providing the revenue support it used to.

Plus, thankfully, cars are more fuel efficient, which is great for drivers—it lowers their fuel expenses—but it lowers highway revenues further. The House bill completely ignores that larger problem of how we pay for our highways in favor of a short-term funding patch with gimmicky one-time budget offsets that have nothing to do with highway use.

We had the U.S. Chamber of Commerce in the Environment and Public Works Committee say: Sure, raise the highway tax a little bit. Let's get built the infrastructure this country needs. But instead of crafting a responsible long-term highway plan, the House Republicans are running scared from tea party groups, tea party groups that do not think the Federal Government should invest in infrastructure at all.

The Club for Growth, so called, went so far last week as to say the highway trust fund—and I am quoting them here—''should not even exist.'' Funny how Republican Presidents—Eisenhower, Nixon, Reagan, Ford, Bush, and Bush—all managed to accept the idea of a Federal highway system, not thinking that there was anything unusual or improper about that.

Well, today's far-right extremists have gone way beyond them. They have gone way beyond the American people. The American people overwhelmingly support Federal infrastructure investments. According to a recent poll commissioned by the American Automobile Association, more than two-thirds of Americans believe the Federal Government should invest more in roads, bridges, and mass transit systems.

We may as Americans have differing views on many issues, but when it comes to investing in the roads and bridges we all use, there is, unsurprisingly, broad agreement except, of course, at the far-right fringe where people hate the government so much they want the rest of us to drive on bad roads and obsolete bridges. But that kind of extreme ideology hits Americans in the pocketbook.

Rhode Islanders, for example, pay an estimated $467 extra each year for car repairs due to bad roads and potholes. So if you are looking out for the ordinary American, if you are looking out for the ordinary American consumer, if you are looking out for the ordinary American consumer's pocketbook, you will invest in infrastructure so our cars are not being banged up and beaten up on bad roads, obsolete bridges, and unfilled potholes.

I am going to hold my nose and vote for this House-passed bill, because at this point the only alternative is a shutdown of the highway program. But let's be clear: This bill is a joke that does nothing on long-term investments in our infrastructure, nothing in a sustainable way to pay for them. We should not procrastinate until next May. We should start right now by building off of the bipartisan 6-year bill the Environment and Public Works Committee passed to give our constituents the infrastructure investments they are counting on us for.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

MANUFACTURING JOBS

Mr. COONS. Madam President, I come to the floor today to talk about jobs, about manufacturing jobs in particular.

As we in the Senate get ready to leave Washington and return home to our States for August, it has become popular in the media to say our legislative work is done; that it is mostly about campaigning from here on out, for the weeks, the months remaining until the election in November. After all, we hear reported this is a body so divided, so riven by gridlock and partisanship that we haven't gotten a lot done, and the prospect for getting more done is even less.

Although I have certainly been frustrated by the pace of progress at times, this story not only gets a lot of things wrong, it is counterproductive and at times even self-fulfilling.

Let me start with the fact that we can, and we have, gotten important things done for manufacturing and for our economy and for our States as a whole.

Last year 26 of my Democratic colleagues, including the Presiding Officer, joined an initiative called Manufacturing Jobs for America, or MJA. The goal of Manufacturing Jobs for America has been simple: put together a collection of our best ideas—our best ideas—to spur manufacturing, job creation, to work with Republicans to find common ground, and to get these bills passed. We are focusing on manufacturing as a group of Senators because it is the foundation of our economy. It is the foundation of the pathway toward a middle class. Manufacturing jobs pay more in benefits and contribute more to the local economy than any other sector, fueling growth in other sectors.

Manufacturing is also incredibly innovative. Manufacturers invest the most in research and development of any industrial sector.

We have focused on four different broad areas in the MJA initiative: training a 20th century workforce; expanding access to capital for businesses looking to expand and invest in growth; leveling the global trade playing field and opening markets abroad; and focusing our government behind a national manufacturing strategy.

These are the four main areas of focus for Manufacturing Jobs for America, and together we have introduced over 30 bills, nearly half of which are bipartisan bills, with Republicans joining us in advancing these ideas. Together, we have made real progress in moving the ball forward. Already, five of these bills have passed out of committee. Three of them would take further steps to give startups and small businesses access to the research and development tax credit which came out of the Finance Committee. Two others passed as part of a single package to create a national manufacturing strategy and improve STEM education in our high schools and colleges that came out of the commerce committee. There is no reason that, working together, we can't get these bipartisan bills passed through the full Senate before the end of this Congress.

This isn't just wishful thinking. We have already seen seven provisions from Manufacturing Jobs for America bills enacted into law as well. In last year's Defense Authorization Act we included an MJA amendment that streamlines regulations and makes it easier for small businesses to do work with the Federal Government. Recently, as a result of our work to ensure innovative small businesses and startups can access the research and development tax credit, the administration took executive action to implement another MJA provision, and just last week the House and Senate came together to pass the broad bipartisan Workforce Innovation and Opportunity Act to reform and streamline our Nation's job training programs—a bill that ultimately included five separate MJA provisions within it, and a bill that has now been signed into law by our President.

The Workforce Innovation and Opportunity Act was years in the making, and its success is in no small part due to the relentless efforts of my colleagues Senators MURRAY and ISAKSON—Democrat and Republican—as well as Senators HARKIN and ALEXANDER, who have worked for years to get this over the finish line. Their success in crafting this bill and in building bipartisan support for it is a lesson for all of us, and it is a large example of what we have tried to do, bit by bit, for other manufacturing bills.

To me, it is really about determination. We have shown it is possible to get things done if we relentlessly seek common ground, if we engage outside groups, if we strengthen the quality of the ideas, and if we build bipartisan paths toward success.

One of our country's biggest challenges is the rapid pace of change in our globally interconnected economy. The middle-class jobs of today and tomorrow require higher skill levels than ever before as the economy continues to evolve. America needs a system that emphasizes lifelong learning, learning on the job, and constant adjustment. This is a challenge that Members of both parties are well aware of and are dedicated to stepping up and meeting. That is what the Workforce Innovation and Opportunity Act is all about.

To put it in some context, by 2022 we are projected to have 11 million fewer workers with postsecondary education than our economy will need. But by consolidating 15 outdated or redundant Federal job training programs, by creating new board accountability standards, and by giving cities and States the flexibility to meet their economy's unique local needs, the Workforce Innovation and Opportunity Act will help us make up that shortfall.

I was at the bill signing last week at the White House, along with the Senators whom I cited who led the charge on this, and it was uplifting to see the positive impact that came out of uniting in such a broadly bipartisan way on such an important issue as job skills for the modern manufacturing workforce for America.

On a week when Congress came together to improve our investment in America's workers, Vice President BIDEN also released a critical report that had great contributions from the Secretaries of Commerce, Education, and Labor—a critical report that details a number of other steps the administration is taking as a complement to that new law, the Workforce Innovation and Opportunity Act, to equip our workers for the 21st century economy.

As we get ready this week to return to our home States and to hear from our constituents in August, there is no reason to stop legislating this week and when we return in September. That is why I am introducing another bill as part of Manufacturing Jobs for America, a bill called Manufacturing Universities Act of 2014.

This bill will take on a simple but important challenge. Because today's manufacturing jobs require higher skill levels than ever—higher skill levels than yesterday's assembly line jobs, our schools and in particular universities need to be equipping students with those skills. Since innovation and research and development keep leading to new materials and new technologies that are critical to keeping American manufacturing at the cutting edge of the global economy, we also need to connect our universities with our manufacturers.

The manufacturing universities bill would create a competitive grant program that would ultimately designate 25 American universities as manufacturing universities. The competition would incentivize schools to build engineering programs that are targeted, that are focused on 21st century manufacturing and the skills our workers need to thrive. This would allow the cycle of innovation that can begin in the laboratory, that can mature in a factory, and that can produce more competitive products of the market to be fully harnessed around the challenge of meeting the 21st century manufacturing environment. That would build on important work that is already being done to link universities all the way to the shop floor but where we are not doing as much as we can and should with Federal grant funds that go to universities for research, to make them relevant and to make them current and to make them competitive.

For example, in my home State of Delaware, this bill, if enacted into law, could help the University of Delaware bolster its work with the private sector, focus its work with the Delaware Manufacturing Extension Partnership,

focus the partnership between Delaware Technical and Community College, Delaware State University, and our manufacturing community in Delaware, to ensure that manufacturing becomes a larger part of the University of Delaware's engineering curriculum and the training and research and outreach conducted by Del State and Del Tech.

The competitive challenges of the 21st century are big, but we have every reason to be united around meeting them. Manufacturing Jobs for America, like the Manufacturing Universities Act, take simple steps to invest in America's workers so they can drive our innovation and growth today and tomorrow, and take simple steps to make sure we are being as competitive as possible, that we are growing the best jobs possible for our home States and for our whole country.

Let's come together in a bipartisan way. Let's build on the success we have already seen across the different skills initiatives I have discussed. Just because elections are coming up this fall doesn't mean we can't continue to get behind great ideas—whether Democrat or Republican, whether from the House or the Senate—to move our Nation forward, and to create great jobs for all our States and all our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, last week I explained why I oppose the nomination of Pamela Harris to the Fourth Circuit. I wish to raise several other aspects of her record that I find troubling, but before I address the specifics of this nominee, I need to place this nomination in context.

Last November, when the distinguished majority leader decided to toss aside an institution almost as old as the Senate itself, he claimed that breaking the rules was necessary because of an imminent crisis in the DC Circuit—not a judicial emergency; the numbers made it plain there was no judicial emergency, but a crisis that required radical action. That was after we had already confirmed the President's first nominee to the DC Circuit by a unanimous vote of 97 to 0. As I said in November, there was no crisis.

According to the Administrative Office of the U.S. Courts, as of September 2013, the DC Circuit had 149 pending appeals for each active judge, by far the lightest caseload of any of the Nation's 13 circuit courts of appeals. The number of cases filed in that circuit decreased by almost 5 percent during the year 2013. So the only crisis the distinguished majority leader was responding to was one he and the Obama White House had manufactured. Instead, in an exercise of raw political power he decided to stack the DC Circuit by ramming through three of the President's nominees simultaneously. It turns out that the crisis was just an excuse for a political power grab, plain and simple, and everyone knew it. Despite the denials from the other side, all the signs were there for anyone and anybody who cared to see those signs.

In May of last year the distinguished majority leader said the DC Circuit was ''wreaking havoc with the country'' and that he was going ''to do something about it.'' I am not going to recount how many of my Democratic colleagues repeatedly blocked President Bush's nominees to that court when they were in the minority. Those were and remain nominees of the highest quality who deserved a vote but never got such a vote. Suffice it to say then that during the Bush administration, when the parliamentary shoe was on the other foot, the distinguished Democratic leader claimed the filibuster was a sacred institution. Times surely have changed.

So now after the other side has succeeded in stacking the DC Circuit, Democratic appointees outnumber Republican appointees by a 7-to-4 majority among active judges. The distinguished majority leader wasn't going to leave anything to fortune and he rammed those three nominees through.

I am recounting how the majority leader took the Senate nuclear because it all came to another head last week. You see, on Tuesday the three-judge panel of the DC Circuit decided the Halbig v. Burwell case, the most significant ObamaCare ruling since the Supreme Court upheld the constitutionality of the law in 2012. Halbig is a straightforward case of statutory interpretation under the Administrative Procedures Act and the DC Circuit panel got it right. As the panel held, the text of the Affordable Care Act states on its face that tax credits are available only to individuals—individuals—who purchase their insurance plans through an exchange established by a State. So the IRS cannot make the tax credits available as the law clearly says to those who bought plans through the Federal exchange. You don't have to take my word for it. Putting aside the ample evidence mustered by the DC Circuit's opinion, as early as 2009, the former Democratic chair of our Finance Committee suggested that tax credits were aimed to cover only State exchanges. Additionally, economist Jonathan Gruber, one of the key architects of ObamaCare, has been very clear on this question.

According to the New York Times, Mr. Gruber's role in designing ObamaCare was so crucial that ''the White House lent him to Capitol Hill to help Congressional staff members draft the specifics of the legislation.''

What did the administration's own expert economist have to say about the availability of tax credits under ObamaCare? Here is his quote from 2012 explaining how credits were intended as a political pressure tactic on our 50 States:

> I think what's important to remember politically about this, is if you are a state and you don't set up an Exchange, that means your citizens don't get their tax credits. But your citizens still pay the taxes that support this bill. So you're essentially saying to your citizens, you're going to pay all the taxes to help all the other states in the country. I hope that's a blatant enough political reality that states will get their act together and realize that there are billions of dollars at stake here in setting up these Exchanges, and that they'll do it. But you know, once again, the politics can get ugly around this.

Mr. Gruber is right. The politics have gotten very ugly around this.

After the panel ruled against the HHS Secretary in Halbig last week, it only took the administration about an hour to announce that it would seek en banc review by the full DC Circuit. That is where the majority's power grab is paying off. Breaking the Senate's longstanding rules and stacking the DC Circuit was a premeditated political calculation from the very beginning. So last week when asked whether his decision to stack the courts was vindicated by the Halbig decision, the distinguished majority leader told the press: ''I think if you look at simple math, it does. Simple math, you bet.''

Simple math was the other side's calculation. The simple math is stacking the DC Circuit with leftwing judges who will do in a court what the President and the other side have been unable to do through the legislative process. It is what they have been unable to do through the proper channels of government designated by the Constitution to resolve these issues through the Congress. But the President has been complaining for years that he cannot accomplish his legislative agenda that way, so he went looking for alternatives to that constitutional process, where the Constitution says the legislative branch shall legislate, and the Constitution says that the executive branch should only execute. Faithfully executing the laws is not something this President concerns himself with. By now everybody has heard the President's boast about his pen and his phone. As of July 18 of this year, the President wielding that pen and dialing that phone has unconstitutionally amended ObamaCare by executive or administrative fiat a grand total of 24 times, and that could be a very conservative estimate of everything he has done. The President's unilateral Executive actions were not minor. They unconstitutionally altered basic aspects of the law's design and operation. Things as fundamental as delaying the individual mandate, ordering the IRS to make subsidies available through Federal exchanges in direct contravention of the law, extending noncompliant plans, delaying the employer mandate—not once but twice—and exempting unions from reinsurance fees which will create costs that will be passed on to consumers who aren't fortunate enough to be employed by the President's political allies—all of these and more in violation of law. By his own admission the President has used these aggressive and lawless tactics because he cannot prevail in the legislative process. But time has shown that Executive action has been insufficient to realize a failed legislative agenda. So the

President turned to the courts to do what he couldn't otherwise do legislatively, what he couldn't do within constitutional constraints, because it is all about just ''simple math.''

That is not the way the Constitution works. High school students know otherwise. The President isn't entitled to a rubberstamp from a Congress on unpopular legislation, and he is not entitled to stack the courts with radically liberal judges when his political initiatives fail legislatively.

So I want the other side to remember how politics works when they inevitably find themselves in the minority once again. I want them to remember the new realities of the so-called simple math that they resorted to in order to accomplish legislative projects through judicial proxies instead of through the democratic process.

The DC Circuit wasn't the only appeals court to rule on the ObamaCare subsidies issue last week, and that brings me back to Professor Harris's nomination that we will be voting on today. The Fourth Circuit has ruled, but in contrast to the DC Circuit, it upheld the administration's subsidies regime in a case called the King case, and that is where this nominee comes in. As I explained to my colleagues last week, the timing of the vote on this nomination is not coincidence. Professor Harris is being fast-tracked to the Fourth Circuit just in time for another en banc appeal, should one materialize.

The professor, one of the President's most stridently liberal nominees to date, is jumping ahead of other circuit nominees on the Executive Calendar. Why? For one simple reason: The administration is betting on more simple math to defend ObamaCare in the Fourth Circuit, just like they are betting on simple math to save them in the DC Circuit.

My colleagues need to face the facts. Professor Harris is a rock-solid vote for saving ObamaCare's unlawful subsidy regime which many commentators have described as the economic linchpin of the entire law. All we need to do is look at the nominee's record, which shows time and again how this nominee confuses politics with the law.

For years prior to her confirmation hearing she advocated a legal philosophy in which leftwing politics actively guides and actively shapes judicial decisionmaking. She has explained in detail that she believes the Constitution is made and remade over and over again by political movements at the so-called constitutionally critical junctures. So do we even need to ask whether Professor Harris thinks that passage of ObamaCare was one such critical juncture and that the law is worth preserving at all costs? The question answers itself.

Just look at Professor Harris's record. Before my colleagues vote I want them to have a clear picture of what this nominee stands for, so I am going to mention a few truly remarkable positions she has taken in addition to the many I discussed with my colleagues last week. Professor Harris is on record that extralegal considerations should influence how a judge rules. She also expressed her belief that the personal characteristics of the judge should matter as well.

I think it is fair to say that she is acutely concerned with the personal characteristics of the judge. In 2010 she even told the Los Angeles Times that the President should consider a judicial nominee's religious beliefs when filling Supreme Court vacancies, even though our Constitution says there can be no religious test for any office. She said:

> It is hard for me to see religion as especially different than all other things that presidents take into account.

I don't even know where to start with that, and perhaps the less said about it the better. But I would be interested to know which religions the nominee thinks are suitable or unsuitable for representation on the Federal bench.

I will leave you with another example of how out of mainstream this nominee is. Professor Harris is an outspoken advocate for abortion rights. Over the years she has made a number of controversial statements about abortion and the Supreme Court's abortion precedent. Shockingly, on one occasion last year she described partial-birth abortion as merely a ''late-ish'' kind of abortion. The nominee also suggested that States ''gin up medical controversies'' intentionally and in bad faith in order to justify restrictions on late-term abortions.

She denigrated restrictions on partial-birth abortion because, in her view, ''you could find one guy to say 'I don't know it's safe to create medical uncertainty that will allow state regulation.' ''

Those are definitely not the views of mainstream nominees.

My colleagues need to understand this nominee's views fully before they cast their votes. This is a nominee who describes herself as a ''profoundly liberal person'' and who thinks the Constitution is a ''profoundly progressive document.'' This is a nominee who actually thinks the Constitution embodies her personal leftwing philosophy and has said it is ''pretty close to where I am.'' This is a nominee who suggested that a judicial nominee's religious faith is a valid consideration for service on the Federal bench. This is a nominee who thinks partial-birth abortion is just a ''late-ish'' kind of abortion and criticizes State partial-birth abortion laws ginned up by fake controversies and bogus data.

I explained earlier, a vote for this nominee is a vote in favor of ObamaCare, and that is why she is being hurried onto the Fourth Circuit ahead of nominees to other courts of appeal. It is the distinguished majority leader's simple math.

This is perhaps the most liberal judicial nominee we have seen from this President so far, which is why I am going to vote no on this nominee and urge my colleagues to do likewise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

STATE OF THE SENATE

Mr. HATCH. Madam President, I rise to speak about a subject that troubles me greatly: the state of affairs in this body, the U.S. Senate.

I spoke on the floor last week about how the Senate has historically lived up to its unique and essential role in our constitutional order. Today, I am compelled to offer an account of this institution as it operates today. I believe this message is important both for the American people, whom we all serve, and for my colleagues in this body.

When I spoke on the floor last week, I noted the widespread perception that the Senate has fallen into dysfunction. The pervasiveness of this view is striking among the public, in the media, and even among current and former Senators of all political and ideological stripes. And it is true. The Senate is in worse shape now than ever before in my 38 years of service here.

We must properly locate the source of the problem if we are to have any hope of correcting it. Political discourse about the state of the Senate is so often dominated by those who call for the Senate to be more productive, more efficient. To these critics, the Senate's rules are anachronisms, historical accidents, relics of a bygone era that must be swept away for the Senate to race through more legislation and nominations, not the least of which we just heard Senator GRASSLEY speak about.

As I laid out on the floor last week, the purpose of the Senate is not to duplicate the work of the majoritarian House of Representatives. Our work is of a different sort. The Senate was designed to refine the unbridled passions of popular will, to apply considered judgment to produce thoughtful legislation aimed at the common good.

Structuring a body of such a unique character occupied much of the Framers' time during that hot summer in Philadelphia in 1787. Beyond the Senate's constitutional architecture, the body's rules, traditions, and precedents have developed over more than two centuries, not as flukes but as means of reinforcing and facilitating its purpose.

During the past 227 years, the right to debate and the right to amend have become the twin pillars that upheld the Senate's lofty purpose as a body of considered judgment. As Senator Robert C. Byrd wisely observed, ''As long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.''

Many of the greatest legislative achievements of this body during my 38 years as a Senator were only possible because of our open methods of deliberation and amendment. I think of my many partnerships with the late Ted

Kennedy, and others—Senator HARKIN, Senator Dodd, HENRY WAXMAN. I can name quite a few. Senator Kennedy and I fought like brothers but became the best of friends. This unique environment of the Senate allowed us to find areas of mutual interest and ultimate agreement for the public good. Last week I named just a few of these landmark accomplishments: the 1981 budget, the blueprint of how we turned the economy around in the Reagan years; the 1997 budget deal in which we cut taxes, balanced the budget for the first time in decades, and created the State Children's Health Insurance Program; the Antiterrorism and Effective Death Penalty Act, a vital criminal law that curtailed the abuse of our courts; and the Religious Freedom Restoration Act, a landmark piece of legislation sadly attacked by many of my Democratic colleagues to gin up a phantom war on women to save their lagging electoral fortunes, but in reality a bipartisan agreement that Teddy Kennedy and I championed and that passed almost unanimously. These are just a handful of our legislative achievements throughout the past four decades.

Like so many others, the roots of these successes lay in the Senate's characteristic deliberation, including unlimited debate and an open amendment process. Guaranteeing each individual Senator the full right of participation enhanced the quality of the final product and crowdsourcing good ideas rather than limiting input to a small gathering in backroom Capitol offices.

Giving each Senator the opportunity to have his ideas discussed and debated gave us all confidence that the final product represented the best, most considered judgment of the whole body, encouraging Senators to support sometimes imperfect but decisively beneficial legislation. Allowing modifications to the initial iteration of a bill—while often frustrating for partisans and purists—often created a broad base of support for lasting reforms. Emphasizing an open and inclusive process encouraged partnerships even among ideological opposites, such as Ted Kennedy and myself, to find areas of mutual agreement and reach broad consensus. And respecting the limits of the majority party's power established confidence that when the positions of the parties switched, the rights of the minority would remain protected.

The atmosphere facilitated by our longstanding rules and traditions represents the Senate at its best. The Senate, functioning as it should, and so often has over much of my time here, demonstrates that these procedures and traditions are not flukes of history meant to be swept away as soon as they are politically inconvenient or frustrate a majority party. Rather, they are vital to the Senate's ability to serve the American people.

This is why the first Adlai Stevenson in his farewell address to the Senate as Vice President warned:

> It must not be forgotten that the rules governing this body are founded deep in human experience; that they are the result of centuries of tireless effort in legislative halls, to conserve, to render stable and secure, the rights and liberties which have been achieved by conflict. By its rules the Senate wisely fixes the limits to its own power. Of those who clamor against the Senate, and its methods of procedure, it may be truly said: They know not what they do.

Sadly, these critical and defining practices are under attack. Some who once defended the right to amend when in the minority have acted consistently to deny that right now that they are in the majority.

On February 28, 2006, the senior Senator from Nevada, then serving as minority leader, condemned a procedural maneuver that denied the minority the opportunity to offer amendments. He stated unequivocally: This is a very bad practice. It runs against the basic nature of the Senate.

That maneuver, referred to as filling the amendment tree, allows the majority leader to use his right to be recognized before any other Members as a means to block any and all other amendments by filling all amendment slots with his own amendments and thus prohibiting anybody else from having any rights of amendment.

Less than a year after condemning the maneuver of filling the amendment tree as a very bad practice, inconsistent with the very nature of the Senate, the senior Senator from Nevada became the majority leader. Rather than take his own wise counsel from months before, he instead began a consistent pattern of procedural abuse by using that very same destructive practice. The majority leader employed that tactic 21 times during the 110th Congress and 23 times during the 111th Congress. As the 112th Congress opened, the majority leader pledged to use this tactic only ''infrequently,'' but went on to employ it a record 26 times in the following 2 years.

The Congressional Research Service confirms that the current majority leader has used his position to deny amendments to the minority more than twice as often as the previous six majority leaders combined. He has used his position to deny amendments to the minority more than twice as often as the previous six majority leaders combined.

Six Senators led this body as majority leader between the 99th and 109th Congresses, three Republicans and three Democrats. I served here under all of them. Together they denied amendments to the minority 40 times in those 22 years. No individual leader used this tactic more than 15 times. As of this month, in less than 8 years, the current majority leader has denied amendments to the minority a staggering 87 times.

The right to amend is indeed a part of the basic nature of the Senate, a defining feature of this body that allows us to conduct legislative business differently than in the majoritarian House. The right to amend allows different voices to be heard, different issues to be raised, and different decisions to be made. Denying that right changes the basic nature of the Senate and prefers power over liberty.

Hardly a day goes by without the current majority confirming my point. Earlier this month the majority leader discussed the possibility of allowing amendments to a bill. The minority, he said, want amendments ''because they want to kill the bill.'' But he pledged to consider amendments that, in his view, would ''lead to passage of the bill.''

In other words, the minority has only those opportunities to participate in the legislative process that the majority leader says they do. He was right back in 2006: This is a very bad practice, and he is only making it worse.

Consider another way of looking at this problem. Recently, almost a year went by during which the majority leader allowed votes on only 11 Republican amendments. Think about that—only 11 amendments in nearly a year. All 45 Republican Senators together got fewer votes on amendments than, for example, one House Democrat, Congresswoman SHEILA JACKSON LEE. Indeed, the Republican House majority allowed votes on 174 Democratic amendments during the same period that the majority leader here allowed votes on only 11 Republican amendments. There are Senators who have been here 6 years and have never had an amendment of theirs voted upon—that is pathetic—on both sides.

The other defining feature of the Senate, the right to debate, is also fast becoming a thing of the past. This practice has been a central characteristic of the Senate for more than 200 years and, like the right to amend, allows voices to be part of the legislative process who would otherwise be shut out.

When I was first elected, this body included only 38 of us Republicans, even fewer than the threshold in our Senate rules to prevent cutting off debate. I know from long experience that the right to debate can often annoy the majority by empowering the minority. But fulsome debate and thorough deliberation far more than expediency or efficiency is essential to the nature of the Senate. Both sides have been annoyed from time to time, but nothing like this.

Senate practice and rules have, for more than two centuries, required a supermajority of Senators to end debate before the Senate can vote on a pending legislative matter or a nomination. The current majority leader has compromised the minority's ability to debate in both areas.

Under the rule adopted in 1917, ending debate begins with a motion to invoke cloture to end debate. The current majority leader often files a cloture motion on a bill at the very same time he brings it up for consideration. He has used this tactic far more often

than previous majority leaders, and its effect is not to end debate on legislation but to prevent it altogether. Whenever those of us in the minority have resisted his demand that we end debate as soon as we begin consideration, the majority leader wrongly labels it a filibuster.

Last November the majority leader claimed there had been 168 filibusters on executive and judicial nominations. The majority leader used this supposedly unprecedented level of confirmation obstruction to take the drastic step of abolishing extended debate altogether using the so-called nuclear option. But the majority leader was counting cloture motions, not filibusters. A cloture motion is simply a request to end debate. A filibuster occurs when the debate cannot be ended because the cloture vote fails. In fact, most of those were not filibusters; they were falsely called that. There have been only 14 filibusters of President Obama's nominees, and that practice was on a decline. The Senate, in fact, confirmed 98 percent of President Obama's nominees. There was never a problem there.

The majority leader's current opposition to filibustering Democratic nominees is simply impossible to reconcile with the 26 times he voted to filibuster Republican nominees.

But even as destructive as the nuclear option has been, some of the less visible changes to the management of this Chamber have proven just as damaging to the functioning of the Senate. Take the committee process—the primary forum for both deliberation and amendment. The majority leader has set a record for completely bypassing the committee process, bringing most of the bills we have considered lately up in essentially final form, shielding them from deliberation and amendment on both the floor and in committee. In each Congress since he became majority leader, the senior Senator from Nevada has set a record for bypassing the committee process. In fact, with 6 months remaining in this Congress, he has already used this tactic more in one Congress than any other majority leader.

What are these matters the majority leader brings to the floor? An unschooled observer might imagine that after the negotiation of the Ryan-Murray budget agreement—an imperfect bargain but a breakthrough for cooperation nonetheless—we would join the House in pursuing the appropriations process through the regular order; that we would use the opportunity to exert our influence as legislators on how our constituents' hard-earned dollars are spent. Instead, the majority leader brings up bills that have no chance of becoming law in order to score political points to reinforce disingenuous narratives about a supposed war on women or so-called economic patriotism.

The current majority leader's abuse of the Senate amounts to a national travesty. He has broken down so much of what makes this institution serve the Nation's interests in order to advance his own party's temporary political gain. Such a betrayal of trust is nothing short of tragic.

To my 56 colleagues who have never served in the Senate when this body lived up to its potential greatness, we can indeed restore the Senate's rightful place in our constitutional order. This body can again be a source of great legislative achievement borne out of thoughtful deliberation and inclusive consideration. But this majority leader's slash-and-burn tactics are not the path to achieve these worthy ends. They are a dead end, leading only to the destruction of this institution that has served our Nation so well for so long. Instead, restoring the Senate will require us all—Republicans and Democrats alike—to stand for the institution's rules, traditions, precedents, and for our individual prerogatives as Senators.

The majority leader is my friend, but I have to say these criticisms are valid, they are honorable, and it is about time that people on both sides of the floor start to realize we can't keep going this way and still call this the greatest deliberative body in the world. It is pathetic. I think people on both sides know it is pathetic, and it is time for it to stop.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHWAY TRUST FUND

Mr. WYDEN. Madam President, it is hard to imagine a more pressing need for our people, for our economy, and for our quality of life than reauthorizing the highway trust fund.

The Senate has previously entered into a unanimous consent agreement to have votes on four transportation funding amendments. The reality, however, is that time is running out to hold those votes before they would become what amounts to a meaningless exercise.

We all know that this week the Senate still has to vote on veterans health care, emergency funding to deal with wildfires raging in the West, and the challenge of those child immigrants coming across the border from Mexico. That is all the more reason why the critical issue, the urgent issue of transportation funding should not be left to the last minute. Left to the last minute, in effect, this body would simply be surrendering its ability to have a genuine impact on an urgent national issue—an issue critical for our people, for our economy, and for our country in the days ahead.

Now, if the Senate were to vote tomorrow on transportation funding—and the majority leader, Senator REID, has assured me that would be acceptable to him—there would still be time to work out any differences between the Senate and the other body before the Congress recesses at the end of this week.

However, if the votes are delayed until later in the week, my judgment, as chairman of the Finance Committee, where Senator HATCH and I have put together a bipartisan bill is that if the votes are delayed, for example, on the bipartisan Wyden-Hatch amendment, it would become almost impossible for the Senate to have any input into the final transportation bill that goes to the President.

Just from my own standpoint, I think it would be legislative malpractice for the Senate not to have a role to play in this premier economic issue now before the Congress. The highway trust fund, colleagues, is going to be reauthorized this week. That is nonnegotiable. The reason it is going to be reauthorized this week and we will not accept anything else is that the stakes are just too great. If our country was to have the transportation equivalent of a government shutdown, more than 700,000 jobs could be affected, coming on the heels of a slowdown in home construction which we have just seen in the last few days. It would be a devastating blow for the construction industry and our whole economy.

Beyond the short-term impact and the threat to the already shaky recovery, my view is that every Senator, every Democrat and every Republican, understands transportation funding and improving our infrastructure is critical to our country's future. The reality is that it is just not possible to have a big league quality of life with little league infrastructure.

Now as I wrap up, I would like to talk about a couple of other points that are relevant to how the Senate conducts its business. I am especially grateful to Senator HATCH, who has consistently met me halfway. As we know, our distinguished colleague, the former chairman, Senator Baucus, is now Ambassador to China. I took up that position in February. From the very day I became chairman of the committee, Senator HATCH has been willing to work with me, meet me halfway and, in particular, has talked about the importance of the Senate functioning in its regular order.

I would point out that a number of colleagues have been saying just that, and that the Senate has not had a chance to vote on amendments to legislation this year. That is not how this great body is supposed to operate. We know, with respect to this transportation bill, if we can get it brought to the floor tomorrow so we can have a real debate, we could have two bipartisan amendments and two from the minority that will shape not only transportation policy but also policies in vital other areas, including taxes, pensions, and trade.

If the votes on these amendments, bipartisan amendments, are fairly structured so that both sides would have a chance to weigh in and if the votes on these amendments are going to be given full and fair consideration and not become some kind of exercise in futility, they have to be held tomorrow. So I hope we will be able to work this out. I had thought about coming here and advancing a procedural motion. My hope is we can work this out so we can really debate these critical issues.

I do think the other body goes too far on the issue of pensions smoothing. Given that position, the country is likely to have two big challenges in the future. First, how do we fund transportation? And second, what are we going to do about the hopes and aspirations of all of those workers relying on pensions and the future of the Pension Benefit Guarantee Corporation?

So I do think the bipartisan Senate proposal that Senator HATCH and I have authored—and there are other bipartisan proposals—gives us a chance to, in effect, have the Senate weigh in in a meaningful fashion on this critical issue.

I know we are going to have a vote in a little bit, and there will be a discussion between the leaders and colleagues. I may come back later tonight to discuss this further. I simply come this afternoon—more than anything else, what I have sought to do is to try to advance exactly what Senator HATCH has been talking about: Regular order and the chance for both sides to be heard on critical issues and to try to get beyond some of the polarizing, divisive kind of rhetoric that certainly you hear outside the Capitol.

I was home this weekend marching in parades, getting out across the State. That is what I heard continually, people coming up and saying: RON, can't the Senate and the Congress find a way to come together? Senator HATCH and I did that on a bipartisan proposal. There are other bipartisan proposals, proposals that ensure the minority has a chance to be heard. I just hope we can work it out this evening so both sides will have a chance to have a fair debate on this issue at a time when it is still meaningful.

I yield the floor, and I suggest the absence of a quorum and ask unanimous consent that the time in quorum calls be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, in a few moments we are going to have the opportunity to vote on the confirmation of Pamela Harris for the Fourth Circuit Court of Appeals. I am very proud to have joined Senator MIKULSKI in recommending to President Obama the appointment of Pamela Harris to the Fourth Circuit.

I have interviewed many candidates for judicial appointments. I can tell you Pamela Harris is at the top, as far as her qualifications for this appellate court position. She is an extraordinarily talented person who has devoted the prime part of her life to public service and seeks this appointment for the right reasons—to continue her public service.

I mentioned that Senator MIKULSKI and I both recommended her appointment. Senator MIKULSKI has set up, as the senior Senator in our State, a process by which we solicit the strongest possible candidates of interest to fill judicial vacancies. We understand these are lifetime appointments. We understand the importance of these appointments. We have a screening process and an interview process in addition to the White House and Justice Department vetting process, which we think will give us the highest quality person to fill these lifetime appointments. In Pamela Harris's case, I am extremely proud. I thank Senator MIKULSKI for her commitment to a process that gives us the very best people for these positions.

Pamela Harris is the granddaughter of Polish-Jewish immigrants who came to this country to seek a better life for their children. Pamela's mother worked her way through law school. Pamela herself went to Yale College and then Yale Law School. She was helped in the process with Pell grants. She is a product of the Montgomery County public schools. We are very proud of the fact that she has really lived the American dream and has been able to accomplish so much in her career through hard work and believing in this country.

When we take a look at her professional accomplishments, I don't know what else we could ask. She has the highest rating from the American Bar Association, which gives us that information on the candidates who are nominated for judgeships.

She clerked for Judge Harry T. Edwards in the U.S. Court of Appeals for the District of Columbia, and she clerked for Justice John Paul Stevens in the Supreme Court of the United States. She has been an associate professor at the University of Pennsylvania Law School, codirector of Harvard Law School's Supreme Court and appellate litigation clinic, a visiting professor at Georgetown University Law Center, and she was in the Justice Department's Office of Legal Policy. At Georgetown University Law Center, her clinic prepares lawyers for their arguments before the Supreme Court of the United States. In other words, she is basically the person who teaches and gives practical experience for those who have to appear before the highest Court in this land.

It is interesting that she has dedicated about half of her time to civil cases and about half to criminal cases, so she is well versed on the responsibilities of our appellate court. I don't think we could have found a more qualified person to fill this extremely important position on the Fourth Circuit.

I also want my colleagues to know that she understands the responsibilities of a lawyer and a judge to provide access to all. She will take an oath if she is confirmed—and I am hopeful she will be in a few moments, literally—to serve justice regardless of a person's wealth or poverty. As a private attorney, she helped develop a relationship with the public defender of Maryland to provide help to indigent individuals who needed additional services. She is committed to pro bono service and she is committed to equal access to justice in addition to everything else she has done in her career. She really understands. She has the talent, she has the commitment to all in our communities, and she understands what the appropriate role is for a member of the bench, for a judge.

I know Senator GRASSLEY has mentioned his concerns, but Senator GRASSLEY asked a lot of questions for the record, which is the right of any Senator to do. These are lifetime appointments, and I fully support that. But I wish to state Pamela Harris's own words in response as to understanding the difference between an advocate and a judge, between a lawyer representing a client and a judge. I know when I practiced law, I gave everything I could to help the clients I represented. I didn't always 100 percent agree with their position, but it was my responsibility to advocate for their position. That is how our system of justice operates. That is our rule of law.

Pamela Harris said:

> I fully recognize that the role of a judge is entirely different from the role of an advocate. If confirmed as a judge, my role would be to apply governing law and precedent impartially to the facts of a particular case.

She gets it. She understands what the role of a judge is.

Quite frankly, I want people who are active in the legal system to apply and become our judges because they understand the importance of the work a judge does.

She continues:

> It is inappropriate for any judge or Justice to base his or her decision on their own personal view or on public opinion. . . . If confirmed as a circuit judge, I would faithfully follow the methodological precedence of the Supreme Court and the Fourth Circuit, applying the interpretive approaches and only the interpretive approaches used by those courts.

Perhaps that is exactly what we want from our judges. We want them to be worldly. We want them to understand the law. We want them to have been involved in the law. In Pam Harris's case, she has been a professor, she has taught the law, and, yes, she has been actively engaged. But once they become a judge, they need to apply the

precedence from that circuit, from the Supreme Court, and that is exactly what Pam Harris said she would do. Her reputation for being straightforward and telling it exactly the way she believes has been well documented in the record before the Judiciary Committee.

I thank Senator LEAHY for the incredible manner in which he operates the Judiciary Committee in the best traditions of the Senate. They had a full hearing on Pamela Harris's nomination. They had a full record. One of the letters that is part of that record that is also part of the record of the Senate was a letter—the Judiciary Committee received numerous letters of support for Pamela Harris. I will quote from one letter that was signed by more than 80 of her professional peers, which included individuals appointed by Republican Presidents and Democratic Presidents to key positions, including Gregory Garre, the former Solicitor General for George W. Bush. In that letter where these 80 signatories to that letter strongly endorsed Pamela Harris's confirmation for judge on the Fourth Circuit, it says:

We are lawyers from diverse backgrounds and varying affiliations, but we are united in our admiration for Pam's skills as a lawyer and our respect for her integrity, her intellect, her judgment, and her fair-mindedness.

Continuing:

Many of us have had the opportunity to work with Pam on appellate matters. She has been co-counsel to some of us, opposing counsel to others, and a valuable colleague to all. In her appellate work, Pam has demonstrated extraordinary skill. She is a quick study, careful listener, and acute judge of legal arguments. She knows the value of clarity, candor, vigor, and responsiveness. Of equal importance, she has always conducted herself with consummate professionalism, grace, and congeniality, and has a humble and down-to-earth approach to her work.

The letter concludes:

Her well-rounded experience makes her well prepared for the docket of a federal appellate court. Pam's substantive knowledge, intellect, and low-key temperament will be great assets for the position for which she has been nominated.

I pointed out before and I will again that there are many questions that were posed to Pamela Harris during the confirmation process. I would encourage my colleagues to take a look at those. I did. I read her answers to those questions. They were very well documented and very professional. Her reputation is one of being a straight shooter and saying exactly what is on her mind. Read her responses. She understands the role of a judge. She is well qualified to serve on this circuit.

She has the strong endorsement of the two Senators from her home State, and I urge my colleagues to vote for her confirmation. We are very proud of her record on the Fourth Circuit.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all postcloture time has expired.

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Harris nomination.

Mr. CARDIN. I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 43, as follows:

[Rollcall Vote No. 242 Ex.]

YEAS—50

Baldwin	Harkin	Nelson
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Booker	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	

NAYS—43

Ayotte	Cruz	Kirk
Barrasso	Enzi	Lee
Blunt	Fischer	Manchin
Boozman	Flake	McCain
Burr	Graham	McConnell
Chambliss	Grassley	Moran
Coats	Hatch	Paul
Coburn	Heller	Portman
Cochran	Hoeven	Pryor
Collins	Inhofe	Risch
Corker	Isakson	Roberts
Cornyn	Johanns	Scott
Crapo	Johnson (WI)	Sessions
Shelby	Thune	Toomey
		Wicker

NOT VOTING—7

Alexander	Murkowski	Vitter
Begich	Rubio	
Landrieu	Schatz	

The nomination was confirmed.

NOMINATION OF ELLIOT F. KAYE TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION

NOMINATION OF ELLIOT F. KAYE TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION

NOMINATION OF JOSEPH P. MOHOROVIC TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION

NOMINATION OF BRIAN P. MCKEON TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nominations en bloc, which the clerk will report.

The assistant legislative clerk read the nominations of Elliot F. Kaye, of New York, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2013; Elliot F. Kaye, of New York, to be Chairman of the Consumer Product Safety Commission; Joseph P. Mohorovic, of Illinois, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2012; and Brian P. McKeon, of New York, to be a Principal Deputy Under Secretary of Defense.

VOTE ON KAYE NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Kaye nomination.

The majority leader.

Mr. REID. Mr. President, I yield back whatever time is available.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Hearing no further debate, the question is, Will the Senate advise and consent to the nomination of Elliot F. Kaye, of New York, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2013?

The nomination was confirmed.

VOTE ON KAYE NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Elliot F. Kaye, of New York, to be Chairman of the Consumer Product Safety Commission?

The nomination was confirmed.

VOTE ON MOHOROVIC NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will

the Senate advise and consent to the nomination of Joseph P. Mohorovic, of Illinois, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2012?

The nomination was confirmed.

VOTE ON MCKEON NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Brian P. McKeon, of New York, to be a Principal Deputy Under Secretary of Defense?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

Mr. REID. Mr. President, did we vote on the Kaye nomination twice?

The PRESIDING OFFICER. We did vote on the Kaye nomination twice.

LEGISLATIVE SESSION

BRING JOBS HOME ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session and resume consideration of S. 2569, which the clerk will report.

The bill clerk read as follows:

A bill (S. 2569) to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3693

Mr. REID. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3693.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3694 TO AMENDMENT NO. 3693

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3694 to amendment No. 3693.

The amendment is as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

MOTION TO COMMIT WITH AMENDMENT NO. 3695

Mr. REID. Mr. President, I have a motion to commit S. 2569, with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Finance with instructions to report back forthwith with the following amendment numbered 3695.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3696

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3696 to the instructions of the motion to commit.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3697 TO AMENDMENT NO. 3696

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3697 to amendment No. 3696.

The amendment is as follows:

In the amendment, strike ''4'' and insert ''5''.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which has been filed and ask that the Chair have it reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

Harry Reid, John E. Walsh, Debbie Stabenow, Benjamin L. Cardin, Barbara Boxer, Patrick J. Leahy, Kay R. Hagan, Sheldon Whitehouse, Jack Reed, Christopher A. Coons, Robert P. Casey, Jr., Bill Nelson, John D. Rockefeller IV, Barbara A. Mikulski, Jeff Merkley, Mazie K. Hirono, Tom Harkin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 488.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 488, S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 488, S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

Harry Reid, Barbara A. Mikulski, Benjamin L. Cardin, Barbara Boxer, Patrick J. Leahy, Sheldon Whitehouse, Jack Reed, Christopher A. Coons, Jeff Merkley, Debbie Stabenow, Robert P. Casey, Jr., Bill Nelson, John D. Rockefeller IV, Mazie K. Hirono, Tom Harkin, Bernard Sanders, Richard Blumenthal.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

UNANIMOUS CONSENT REQUEST—S. RES. 524

Ms. KLOBUCHAR. Mr. President, I rise in support of a simple and straightforward resolution cosponsored by 20 of our colleagues that would simply express the sense of the Senate that climate change is occurring and that it will continue to pose ongoing risks and challenges to our citizens and to our country. That is all it says. We know we have a problem. We don't pretend to give every solution in this resolution; it simply gives us the point of saying we have a problem.

I am pleased to be joined by two leaders on this issue, Senator SHELDON WHITEHOUSE as well as Chairman BARBARA BOXER, the chair of the Environment and Public Works Committee.

We have an obligation to our constituents and to this country to address global climate change. We must tackle the challenge head-on. This is an issue facing all Americans—from farmers struggling with extreme weather from drought, to floods in seaside communities threatened by rising waters, to habitat changes that are impacting our hunting, fishing, and outdoor economy, to businesses trying to mitigate the financial risks posed by the effects of climate change.

It is clear climate change poses a grave threat to food security, the environment, and our national security, as

well as to our businesses. Yet achieving a commitment to at least admit this problem is going on in the Senate has fallen short. That is the point of our direct resolution that simply states the facts—the science—about climate change and the impact it is having on our country.

The resolution draws from the 2014 National Climate Assessment which was drafted by 300 climate experts and extensively reviewed by a 60-member advisory committee and the National Academy of Sciences. The National Climate Assessment states the science very simply. The most recent decade was the Nation's warmest on record and U.S. temperatures are expected to continue to rise. The Department of Defense of this country, of the United States of America, our own Department of Defense 2014 Quadrennial Defense Review reiterates climate change has a destabilizing effect, stating: ''The pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world.'' And the Defense Science Board report concluded: ''Climate change will only grow in concern for the United States and its security interests.''

All the resolution says is that it is the sense of the Senate that global climate change is occurring and will continue to cause ongoing risks and challenges to the people and the Government of the United States.

We know the costs. The 2012 drought was the worst drought since 1956 and caused over $30 billion in damage nationwide. The current drought in the Western and Southwestern States is estimated to cost billions and it remains ongoing. Last week there was a newspaper map showing that about 34 percent of the contiguous United States was in at least a moderate drought as of July 22. Those are the numbers. Those are the facts.

We have seen heavy downpours increasing nationally. We have seen hurricanes increasing in intensity. If we continue on our current path, by the year 2050, between $66 billion and $106 billion worth of existing coastal properties will likely be below sea level nationwide, and $238 billion to $507 billion worth of property will be below sea level by the year 2100.

So what are we hearing from the business community? We have conservative businesspeople such as former U.S. Secretary of the Treasury under George Bush, Hank Paulson, speaking out. He, along with former New York mayor Michael Bloomberg and eight other prominent business and policy leaders, recently released the first comprehensive assessment of the economic risks our Nation faces from the changing climate, including increased coastal storm damage, reduced productivity in some areas of the United States because they have become too hot for outdoor work, strained energy networks, and expanding public health impacts. This report represents an important first step toward a true accounting of the risks of climate change so the American business community can begin to work toward effective climate risk management.

Just this past Thursday, former Clinton Treasury Secretary and cochair of the Foreign Relations Council Bob Rubin wrote an article in the Washington Post advocating that although it is clear that the U.S. economy faces enormous risks from unmitigated climate change, policy and business leaders are not taking into account the cost of inaction, which means decisions are being made based on the broad picture posed by climate change on our economy.

So now we have scientists, business leaders, church groups, and outdoor groups all out in front of this issue. In fact, a recent poll found that 63 percent of Americans believe this is occurring. Sixty-three percent of Americans believe it is occurring. Yet where is the Senate? Where are we?

We have an opportunity today, to pass this simple resolution saying it is the sense of the Senate that global climate change is occurring and will continue to pose ongoing challenges to the people and the Government of the United States.

It should not be that hard for this Congress to simply say that. Think of what the Senate has done in the past. When we saw what was going on in South Africa, it was the Senate that overcame a Presidential veto to approve the Comprehensive Anti-Apartheid Act. It was the Senate that took the lead on civil rights legislation. It was the Senate that was willing to put partisan issues aside and take on the Watergate hearings. It was the Senate that took on consumer issues. It was the Senate that passed the Clean Air Act approved by 43 Democrats and 30 Republicans.

We just have to take one step today; that is, to simply tell the world we know there is a problem. We are not here trying to give all the solutions. We know colleagues disagree with this in terms of what we should do, depending on where they are from or what States they represent. But to even start having those discussions, we have to admit there is a problem.

I urge my colleagues to support this simple, straightforward resolution. I urge them to support it because it is so important to our country.

I ask unanimous consent that the Senate proceed to the consideration of S. Res. 524, expressing the sense of the Senate regarding global climate change which was submitted earlier today; that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. I reserve the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have to say this. The resolution by Senator KLOBUCHAR clearly demonstrates the vast political influence of the President's global warming advocates and what they have been doing over time.

This is not new. This started in this Chamber—let's see, 15 years ago—at the time the Clinton-Gore effort took place in South America and they signed on to the treaty down there. Of course, it never came up to be ratified.

This resolution cites 13 different government agencies that are colluding together to merge their policies to promote global warming, which underscores how effective the environmental activists such as Tom Steyer have been at getting their agenda into the Obama administration.

While some Democrats may be convinced global warming is continuing to occur, the scientific record does not agree. In fact, for the past 15 years temperatures across the globe have not increased. Let's think about that. Is anyone listening here? Temperatures have not increased over the last 15 years. This isn't just—a major magazine had an article on it, ''The Economist'' did, and even the scientists at the IPCC.

Let's keep in mind that the whole thing was started by the United Nations. They started this group called the IPCC—the Intergovernmental Panel on Climate Change—and they have been promoting it ever since. Even the IPCC says we have had no warming for the last 15 years. Senator WICKER from Mississippi, at a hearing last week, pointed out that some 31,000 American scientists, 9,000 of whom have Ph.D.s, have signed a petition noting there is a lack of scientific evidence that greenhouse gases are causing global warming.

Looking at the political side of things, the Senate has been debating this issue for nearly 15 years. I can remember standing right here at this podium, the first bill that came down was the McCain-Lieberman bill. It was to legislatively do a cap-and-trade bill. It would have set up an economywide cap-and-trade program. It failed by a vote of 43 to 55. This is in the Senate. A short while after that they had another bill, which was in 2005, and it failed by a larger margin. In 2008, the Warner-Lieberman bill came up. It failed also. Each time it fails, it fails by a larger plurality, which leads me to question how people can possibly say the majority in this Senate has an interest in this legislation because they fail every time. The last time the bill was considered in Congress was in 2009. That was the Waxman-Markey bill. It passed the House but never got a vote in the Senate because they knew it was going to fail.

One might ask, Why is that? What changed from the time the polling showed Americans were interested in this issue? I will tell my colleagues

when it was. I happened to be at that time chairman of the air subcommittee of the Environment and Public Works Committee. They had at that time a study that came out. It was by the scientists from the Wharton School of Economics talking about what the cost would be if we were to pass cap and trade. That figure was between $300 billion and $400 billion a year. Let's keep in mind that would constitute the largest tax increase in the history of America.

It is not as if it is just one group. MIT, Massachusetts Institute of Technology, came out and agreed with those figures. They said $300 billion to $400 billion. Then Charles Rivers came out and said the same thing, about $300 billion to $400 billion a year.

Since that time there has been a wake-up call for the American people. I don't know what my good friend from Minnesota—maybe she will elaborate a little bit on these polls. But I can remember back when the Gallup polls used to say, some 15 years ago, that global warming was either the first or the second major concern people had. A Gallup poll that came out just 2 weeks ago said it was No. 14 out of 15. In other words, they said: Name the 15 greatest concerns we have, and No. 14 out of 15 was global warming.

The Pew Research Center came out just the other day saying that 53 percent of Americans who believe in global warming—these are the ones who truly believe the globe is warming and we are all going to die—when they asked about the cause of global warming, either they said they don't believe there is enough evidence to blame manmade gases—that is anthropogenic gases—or they believe it is caused by natural variation.

This probably explains why it has been difficult for Tom Steyer to reengender a lot of interest in this issue. He has committed to raising $100 million. He promised to help Democrats win elections this fall. He put $50 million of his own money—this is Tom Steyer talking; he admits he is doing this—and he is going to raise the other $50 million. We found out from an article in Politico 2 weeks ago that the most he has been able to raise of the second $50 million is $1.2 million from outside donors so far. Maybe over the weekend he had a good weekend; I don't know. That is a possibility.

What we should be doing is learning from the international community. Just last week Australia repealed its much hated carbon tax—the same thing that is being promoted right now. Either cap and trade or a tax on carbon is what they passed in Australia, and they did it overwhelmingly. Then they realized the real cost. Tony Abbott, the Prime Minister, should be heralded as a hero for his courageous leadership to help the poor and those on fixed incomes who suffer when energy prices needlessly rise.

Upon passage of the bill to repeal the tax, he told the Australian people—this is his quote; listen very carefully: ''Today the tax that you voted to get rid of is finally gone. A useless destructive tax which damaged jobs, which hurt families' cost of living and which didn't actually help the environment is finally gone.'' He is talking about the tax they passed in the country of Australia and just recently rescinded that.

By the way, there is a guy, Senator Cory Bernardi, who came out—I happened to see him 3 or 4 days ago in Washington. He was here. He was one of the senators who actually had promoted this to start with and then changed his mind and realized this is something that is worth repealing. And they did it.

So the Australian people are thanking their Prime Minister. I believe we will be able to protect the American people from the senseless global warming policies here in the United States. It is something they have tried for 15 years here. Every time they stand up and say, oh, the science is settled, the science is settled, then we come up with more groups. I can remember the first time they said the science is settled. That was 12 years ago. Look at my Web site. I named a handful of scientists who had been intimidated by the IPCC—that is the United Nations—into saying: Yes, we want you to participate. But to do this, you have to believe this stuff on global warming. Of course, it did not happen.

So we started listing, and we got several hundred, then several thousand scientists who we still have on the Web site. You can access it. So it is not just recently that scientists have changed their mind on this, because they started a long time ago. By the way, I know this is a fine person, Tom Steyer, and we are reading from Politico. Later on he made the statement:

> It is true that we expect to be heavily involved in the mid-term elections. We are looking at a bunch of races. My guess is that we will end up involved in eight or more races.

This is a guy talking about what he is going to do with $100 million. So it is something that is not going to happen. It sounds real good, standing up and talking about the world coming to an end, but that was not sellable back in 2003 when they had the first bill. It is not sellable today.

It always bothers me when we have a President who tries his best to get things done legislatively, and then cannot do it that way so he is trying to do it through regulations. So having said all of that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I appreciate very much having had the opportunity to hear those words from what I can only describe as an alternate reality from the one I inhabit, any way. First, let me say the very first paragraph of the resolution is this: Whereas, the 2014 National Climate Assessment stated the most recent decade was the Nation's warmest on record—U.S. Temperatures are expected to continue to rise.

There is some evidence that certain temperatures have been flat for a few years—atmospheric temperatures. What that little rhetorical device omits to consider is two things: One, 93 percent of the heat that comes onto the Earth from global warming goes into the oceans. Maybe 3 or 4 percent actually goes into the atmosphere—93 to 3. So if there is any change in the ocean, which regulates the temperature of the Earth, then it is going to have a pronounced effect on atmospheric temperature. And the ocean continues to warm.

People will say: No, the Earth stopped warming. It has not warmed for 12 or 15 years—whatever they say. No, if you actually look at it, the oceans are continuing to warm. There has been this step in atmospheric temperature at a certain level. The other thing that gets left out when our friends say that is this is not the first step. If you look at the history of how this got to be the hottest decade on record, over and over you can look at the graphs and you see these steps. To pretend that each step is the last one runs completely against the science. So to say we have no warming is just not factual. To say that the government—he used the word colluding—is colluding together, that is a fairly tough word to use. Let me tell you some of the government agencies that are so-called colluding together and believe climate change is real and carbon pollution is causing it.

How about NASA? We trust them to send our astronauts into space. We trust them to deliver a rover the size of an SUV to the surface of Mars safely and drive it around, sending data and pictures back from Mars to us. You think these people know what they are talking about?

We trust NOAA with our weather predicting. That is what they tell us. Nobody is saying they are incompetent at weather predicting. Do not listen when people are warning you about storms. But somehow when they talk about climate change, that is colluding.

How about the U.S. Navy? The Commander in Chief of our Pacific Command, Admiral Locklear, has said the No. 1 threat we face in the Pacific theatre comes from climate change. Is he colluding when he says that? This is a career Navy man whom the people of America have trusted with the security of our Pacific theater. It is exactly consistent with what the Department of Defense Quadrennial Defense Review said both last time—4 years ago—and most recently.

If you want to ignore the Federal Government, if you live in a world in which you think the Federal Government colludes with itself to make up things that are not true—OK, but look at the property casualty insurance and reinsurance industry. They are the people with the biggest bet on this. They

have billions of dollars riding on getting it right. They say climate change is real. Carbon pollution is causing it. We have to do something about it.

So does the U.S. Conference of Catholic Bishops, because they care about the poor and the effect this will have on the people who have the least. So does every major U.S. scientific society—every single one. So you can take a poll or a petition and say it has 30,000 names on it. I am told that among the names on that petition are the Spice Girls and people from MASH such as Dr. Frank Burns. It is almost a comedic effort.

When you say there are 9,000 who have degrees, that is—what—.00003 percent of our population of 300 million? Maybe I got a zero wrong there. The idea that you cannot find 9,000 people who think the Earth is flat is a bit of a stretch. The idea that we should base our policies on a petition that imaginary people are on rather than on what NASA, NOAA, the U.S. Navy, the U.S. Conference of Catholic Bishops, every major scientific society, and the entire property casualty insurance and reinsurance industry are telling us is just extraordinary.

If you want to go into the private sector, you have to look no further than Coke and Pepsi. Look no further than Walmart. Look no further than Mars. You can go over there to the candy drawer and you can get wonderful Mars products. It is a huge company. They are going carbon neutral. They are desperately concerned about climate change. Look at Nike, look at Google, look at Apple—American company after American company.

The only place, other than, of course, the 9,000 people who joined the Spice Girls and MAJ Frank Burns on this petition, where denial is anything credible any longer is here in Congress where the money from the fossil fuel industry still has such a pernicious effect. But even among the Republicans—I will close by saying this and yield to my distinguished chairman. Even among the Republicans, they are losing their young voters on this issue. People know better. You poll Republicans who are under the age of 35 and a majority of them will say that somebody who believes in climate denial is ignorant, out of touch or crazy. That is what the young Republicans think about that position. So time is on our side. The day will come when the Senate can face the fact that climate change is real. I want to thank Senator KLOBUCHAR and salute her effort to bring such a noncontroversial proposition to the floor in the form of a resolution—such a noncontroversial and factual proposition. It is a measure of our times and a measure of this body and a measure of the influence on it that it was not adopted by unanimous consent but was objected to by the Republicans.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator KLOBUCHAR from the bottom of my heart for writing such a sensible resolution. People who do not know AMY KLOBUCHAR, as I know her, may not know that she is terrific at bringing both sides together. She does it every day of the week. I could list all of the issues, but I will not take the time to do that. The record speaks for itself.

But on this one, on this simple statement of fact, our Republican friends will not even let that go. This is amazing. This is not a document that says this is how we should fix climate change or this is how we should address it. She does not get into that. She stays away from that because there are legitimate differences.

Some people say: Let's keep on making more electric cars. Some people say: Let's focus on energy efficiency in our homes. Some people say: Shut down the old coal powerplants. It is dangerous to breathe that air. They are adding to the problem.

She does not get into that. All she does in this beautifully elegant and simple resolution is state the facts. First, the resolution acknowledges that the National Climate Assessment report, which is congressionally required—the Congress set it up—states that serious impacts are happening all around us. That report was drafted by more than 300 experts. Guess what it shows? This is what she points out. There are more frequent heat waves, wildfires, and droughts. Coming from California, I can tell you, we are in a terrible fire season. We go to bed at night not knowing what we are going to hear in the morning when we wake up about the raging wildfires in our great State.

We see them in all of our neighboring States as well, whether it is Washington, or Oregon or Arizona. The least we can do is acknowledge we have more frequent fires, that we have a terrible drought in the West, and that this is a fact in evidence. It is not a fact not in evidence.

Second, the resolution acknowledges that our top military leaders at the Pentagon have concluded the impacts of climate change are a growing concern. Sometimes when the military makes a statement it is hard to understand it. This one is really clear. Do you know what they say? They say that climate change is moving from a threat multiplier to a catalyst for conflict. Let me say that again. They used to think it was a threat multiplier. So if there was a problem, say, in Syria, where there is a horrific drought—and some people think that whole conflict has a lot of roots in that drought—where it used to be a multiplier, now they are saying it could actually be the reason why there are conflicts.

Now, I cannot believe my Republican friends would cast away the words of our military leaders and stand up here and object to this resolution. All it says is: Climate change is happening. These are the people who say it is happening. It is a risk to the American people if we do not address it.

Now, I will close with this. In our committee Senator WHITEHOUSE had an incredible hearing he organized. It was amazing. I sat through the entire hearing. He invited four former Republican EPA Administrators who served under the last four Republican Presidents: Richard Nixon, Ronald Reagan, George Herbert Walker Bush, and George W. Bush. Now, listen to this. Richard Nixon, Ronald Reagan, George Herbert Walker Bush, and George W. Bush—all of these former administrators said: Climate change requires action now, and it should not be a partisan issue. I ask rhetorically: When did the environment become a partisan issue? When I first got into politics—it was a while ago—but it was completely bipartisan.

We addressed this issue together because the health of the American people, the ability to go to work and breathe clean air and not have an asthma attack or a heart attack, the desire to make sure our kids are swimming in safe, clean water and drinking clean water. This wasn't partisan.

The latest thing we know—and this is critical to put in the RECORD at this time—is that when we clean up dirty, filthy carbon pollution, we also make sure the air is cleaner to breathe. This is critical. That is why the administration's plan is going to lead to healthier communities. We can't afford to sit around here debating whether climate change is real. We can't afford that.

All we wanted to say in this resolution and all Senator KLOBUCHAR says is that climate change is happening. The experts are telling us. The peer review scientists are telling us. The military is telling us. Everybody is telling us.

Yes, as Senator WHITEHOUSE said, there is a small group of people—there always has been and there always will be—but we didn't wait before we protected our people from tobacco smoke because 10 percent of the scientists said: No, no, no, it doesn't cause cancer.

I would love to be able to bring back the lives of those lost when the tobacco companies put their dirty money all around the Capitol and stopped us from acting.

I am proud to stand with my friends.

When history is written—trust me on this one—they are going to look at us and say: What did they do? What did they do to step to the plate?

President Obama did, and we are protecting his rules here. But we have a job to do. It all starts with acknowledging that there is a problem. If you don't acknowledge that there is a problem, you will never fix it.

I thank my friend Senator KLOBUCHAR for her leadership, and I hope she will not be deterred because I want to be back on this floor with her, Senator WHITEHOUSE, and others as many times as she is willing to put this forward because it is that important.

I yield the floor.

Ms. KLOBUCHAR. I thank Senator BOXER.

We now have 21 cosponsors. We are adding daily. We have cosponsors, of course, from coastal States. States such as Hawaii and Maine see the effect of the water all around them. Independent Senator ANGUS KING is a cosponsor of this resolution. We have Colorado, with Senator UDALL and Senator BENNET, who are cosponsors, who understand the risk of wildfire and what they see in their State with climate change. We have States in the Midwest, such as Iowa, with Senator HARKIN; Michigan, with Senator STABENOW, the chair of the Agriculture Committee. They understand what drought means to farmers.

This is not just a coastal problem; this is a problem across the United States as we are seeing the disruptions of climate change.

I ask unanimous consent to have printed in the RECORD a link to a June 14 report called ''Risky Business, The Economic Risks of Climate Change in the United States.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

http://riskybusiness.org/uploads/files/Risk Business _Report_WEB_7_22_14.pdf

Ms. KLOBUCHAR. I wanted to follow up on the good words not only of Senator BOXER but my good friend Senator WHITEHOUSE, as he took on some of the words we were hearing from our colleague from Oklahoma, Senator INHOFE, as he talked about collusion of the people in this area—collusion. I guess he meant with the President of the United States.

I looked at some of the names on this report—Hank Paulson, former U.S. Secretary of the Treasury under George Bush. I am trying to imagine him colluding with President Obama, and I just can't picture it right now.

Gregory Page is someone I know, the former head of Cargill, the CEO of Cargill, a multinational company—the biggest company in the United States—based in Minnesota. The executive chairman of Cargill is a part of this report warning the business community, looking at what the risks are to the business community. I can tell you he is not colluding with the President of the United States.

Olympia Snowe—talk about an independent—the former Senator from the State of Maine, is part of this group issuing this report. She is not colluding with the President of the United States.

As Senator WHITEHOUSE pointed out, all of these military branches and people from the branches of our military who look at this as a security risk are looking at this and literally following the oath. They are doing what they are supposed to do—their duty, their duty to protect our country—and they see this as a threat to national security, to the United States, a threat to our standing in the world and to the scarce resources we are seeing with water not only in the United States but all across the world—a threat.

This is not collusion. This is science. These are facts. In my State we embrace science. We brought the world everything from the pacemaker to the Post-it note. We are the home of the Mayo Clinic. We believe in science.

What this resolution does is it simply states the science, drafted by over 300 authors, the 2014 National Climate Assessment, extensively reviewed by the National Academy of Sciences, with support, with the facts.

From the Department of Defense, the 2014 Quadrennial Defense Review of the Department of Defense states that ''the pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world.''

All this says is let's get the facts straight. It is a sense of the Senate that global climate change is occurring and will continue to pose ongoing risks and challenges to the people and the government of the United States. That is all it says.

We are going to have major debate on how to solve this problem. That debate is going on right now. But unless we can at least get a vote and some support in the Senate for this problem that is happening, when 63 percent of Americans know it is happening, we look silly. The people are in front of us again. The businesses are in front of us. The church groups are in front of us. The scientists are in front of us. The hunting groups in my State are in front of us. It is time that we acknowledge we have a problem and then move on to fix it.

As Senator BOXER posed at the end of her remarks, yes, we will be back. I am someone who likes to get things done, and I believe the first thing we need to do is to get an agreement here on the fact that we have a problem. Once we have done that, we can move on and work on those solutions.

Senator WHITEHOUSE has been a leader in the Senate, has been to those coastal communities not only in Rhode Island but up and down the coast looking at that damage, seeing what is happening in Virginia, and seeing what is happening in Florida.

I yield for the Senator from Rhode Island for closing remarks.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I thank Senator KLOBUCHAR. It has been a pleasure working with the Senator.

This was an important step today. It was the most benign, factual, noncontroversial statement of virtually undisputed facts that one could imagine. Yet, here of all places it was unable to achieve consent.

Let me close by mentioning that this is not something that happens off in some other place; it is happening right in our homes.

In Rhode Island, the tide gauge at Naval Station Newport is up 10 inches since the 1930s. We have had big storms before. We have had big hurricanes before. They do a lot of damage to our State, adding 10 inches of more ocean to our shores. That is serious for my State. That is deadly serious for my State. You can't argue with a tide gauge. It is not complicated; it is a measurement.

We can look at the experience of Rhode Island fishermen who are hauling up fish such as tarpon and grouper. Fishermen have told me they started fishing on their granddad's boat and they finished on their dad's boat and in their lives they never saw these fish. But because of the warming seas I talked about earlier, these tropical fish are coming up into Rhode Island waters. When the seas warm, they get bigger. It is called the law of thermal expansion. It is not a law we passed; it is a law of God's Earth. To deny that is to deny the fundamental premises of this planet.

If you think the Rhode Island gauge is weird, go down to Fort Pulaski, GA, where I went on my tour of the southern coast. Tides are up there as well, same thing. The ocean is warming, the seas are rising, and it creates much more risk for our coastal communities.

You can go as far away from Rhode Island as you like. You can go to Utah; how about that. The Park City Foundation, which represents the skiing community—a lot of people go to Utah to ski—says climate change is serious, carbon pollution is causing it, and we are going to lose a lot of business because we are not going to have as much snow. It is going to shorten our season and make life much more difficult.

It is the same in New Hampshire, back on our coast. I went up to New Hampshire a little while ago and met with the ski industry. They are seeing much more need to make snow because they are not getting the snow they used to. If you want to go cross-country skiing or if you want to go on a ski mobile tour, they can't make snow on those trails, so they are getting clobbered.

What is really getting clobbered from the lack of snow is that iconic New Hampshire animal—the moose. Evidently, the way ticks breed, snow kills them off, and when the moose are walking around on snow they are protected from ticks, but when the snow is not there the ticks come at them.

I was told in New Hampshire about young moose calves that had not 1 tick on them, not 100 ticks on them, not 1,000 ticks on them—10,000 ticks on them. Adult moose have been found with 100,000 ticks on them. They are sucking so much blood out of these animals that they can't come up, they sicken, and they die. That is from the New Hampshire scientists, including people at the University of New Hampshire, State universities.

Utah Senators can deny this is real and refuse to talk about it, but Utah State universities both have climate change programs, and they both have

people studying climate change. How can their State universities have programs and people studying climate change in their home States and then they come to Washington and pretend it is not real? It doesn't make any sense.

How can a New Hampshire Senator not come here and admit it is real when the University of New Hampshire is so active in all of this?

Florida—I will stop with Florida because Florida is probably the worst of all. Florida is getting hugely hurt by sea level rise. One of our great cities floods at high tide in Florida.

I went down on my visit, and I stopped at the Army Corps of Engineers. People may think that the Army Corps of Engineers is some liberal organization colluding with somebody to do improper stuff and that they can't be trusted, but that is not the way people behave around here on any other subject. When the Army Corps wants to build lakes or dam rivers or build levees or anything else, we have 100 percent confidence in them. We have confidence in the Army Corps of Engineers. So you have to take with a grain of salt some of this skepticism about the Army Corps of Engineers.

The Army Corps of Engineers expert in Florida says that as the sea level rises it shoves saltwater by pressure into the limestone southern Florida is made of. You can actually measure the infiltration of saltwater into what used to be freshwater wells, and the line moves back from the coast as the sea level rises and creates hydraulic pressure. As they try to create counter-hydraulic pressure, which they do with freshwater to push back in this hard limestone sponge, they raise the water level for freshwater. They said Florida is in a box. There is no way out. It is either going to flood with sea level or flood with freshwater. There is no way out. This is the Army Corps of Engineers expert in Jacksonville, FL. Why won't our colleague from Florida listen to the Army Corps of Engineers expert from his own State?

We have to get through this, and we will, but it is going take pressure, it is going to take leadership, and it is going to take the kind of leadership Senator KLOBUCHAR showed this evening on the floor. I am immensely grateful to her.

I yield the floor.

Ms. KLOBUCHAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING JULIA ALVAREZ

Mr. LEAHY. Mr. President, today, at a ceremony at the White House, President Obama awarded the National Medal of Arts to a distinguished author who calls the Green Mountains of Vermont home: Julia Alvarez.

Born in the United States but raised in the Dominican Republic, Julia Alvarez grew up under the brutal dictatorship of Rafael Trujillo. Fearing for their lives after her father became involved in the revolution to overthrow Trujillo, Ms. Alvarez and her family fled to the United States. Just months later, three of the leaders of that underground movement—Patria Mirabal Reyes, Minerva Mirabel Reyes, and Maria Mirabal Reyes—were brutally murdered. It was this series of events that compelled Ms. Alvarez to author, ''In the Time of the Butterflies.'' The fiction novel based on real-life events is a story incorporated into the curriculum of schools around the world, including many Vermont schools. Ms. Alvarez's novel explains the complexities of family and cultural divide, while celebrating strength in the face of oppression.

Julia Alvarez has been a trailblazer in Latino literature. When Julia started writing, Latino literature was only considered an ''ethnic interest.'' Today, her work is well known in America and around the world, thanks to her passion and creativity.

Ms. Alvarez first came to Vermont as a student at Middlebury College. She graduated with a bachelor of arts, summa cum laude. Years later, she has returned to Middlebury College as the author-in-residence. She continues to mentor students and gives back to the institution that nurtured her soul as a writer.

Julia has now spent more time in Vermont than anywhere else in the world, and she calls our great State ''the mother of [her] soul.'' I can think of no more fitting recipient of the National Medal of Arts than Julia Alvarez. Vermonters are proud of the courage that her works display, and the passion with which she weaves her own personal history into compelling novels.

UNITED STATES-ISRAEL STRATEGIC PARTNERSHIP ACT

Mr. GRASSLEY. Mr. President, last year, I cosponsored the United States-Israel Strategic Partnership Act of 2013. The sponsor of the bill is reintroducing the bill with some modifications. While I am again cosponsoring this new bill, I wanted to remind my colleagues of my concerns related to the visa waiver section of the bill. The Visa Waiver Program is a benefit to other countries, and they are allowed to participate after meeting certain conditions, which are laid out in statute. A section in the United States-Israel Strategic Partnership Act provides authority to the Secretary of Homeland Security to waive the requirements and allow Israel to participate in the program. Specifically, under the legislation, Israel would not have to abide by the low nonimmigrant visa refusal rate standard. As I stated previously, I am concerned about this section of the bill because it sets a precedent for other countries not to have to abide by all the terms of the program. Neither Congress or the executive branch should be making exceptions to the rules. I support the bill because it reaffirms the United States' partnership with Israel, however, we need to be cautious in relaxing the rules regarding the Visa Waiver Program.

BRING JOBS HOME ACT

Ms. MIKULSKI. Mr. President, I rise in support of the Bring Jobs Home Act.

I am a blue-collar Senator. I grew up in a blue-collar neighborhood in Baltimore during World War II where my father had a small neighborhood grocery store.

We were the neighborhood of mom-and-pop businesses and factories. We made liberty ships. We put out turbo steel to make the tanks. Glenn L. Martin made the seaplanes that helped win the battle of the Pacific. We were in the manufacturing business. But the blue-collar Baltimore of World War II, Korea, and Vietnam just isn't what it used to be.

In the last decade, 2.4 million American jobs were shipped overseas. Where did those jobs go? Those jobs are on a slow boat to China and a fast track to Mexico. And why did they go?

In some cases, they went because of tax breaks that rewarded corporations for moving manufacturing overseas. It is wrong to give companies incentives to send jobs to other countries, especially when millions of Americans are looking for work.

The current Tax Code is putting companies that keep their business here, hire their workers at home, pay their share of taxes, and provide health care to their employees, at a disadvantage.

We should be rewarding these companies with ''good guy'' tax breaks for hiring and building their businesses right here in the United States.

I have been on a jobs tour of Maryland. I visited bakeries, microbreweries, and factories of small machine tool companies. I visited Main Street, small streets, and rural communities.

I talked with business owners and their employees. These are ''good guy'' businesses. They work hard and play by the rules. They have jobs right here in the United States. They want to expand. They want to hire. They need a government on their side and at their side.

That is why I am a proud cosponsor of the Bring Jobs Home Act. This bill ends the loophole that gives companies a tax break for sending jobs overseas.

The Bring Jobs Home Act tells companies: If you want to export jobs out of America, you can't file a deduction

for doing it. And it ensures the Tax Code can't be used to boost corporate rewards at the expense of American workers.

Economic patriotism means bringing our jobs back home, bringing our money back home, and standing up for America. So let's pass the Bring Jobs Home Act and take an important step toward economic patriotism.

LEGAL SERVICES CORPORATION'S 40TH ANNIVERSARY

Mr. CARDIN. Mr. President, this past Friday, July 25, marked the 40th anniversary of the Legal Services Corporation, LSC. In 1974, Congress enacted legislation with the signature of President Nixon that established LSC with bipartisan support. LSC is a private, nonprofit corporation, funded by Congress, with the mission to ensure equal access to justice under law for all Americans by providing civil legal assistance to those who otherwise would be unable to afford it. LSC distributes almost all of its annual Federal appropriations to 134 local legal aid programs, serving communities in every State.

In Maryland, according to the Maryland Legal Services Corporation, MLSC, services to clients in fiscal year 2013 increased 5 percent from the prior year, with MLSC grantees opening nearly 168,000 new cases, a record high, and benefiting almost 252,000 individuals and families. Family cases, about one-third of all cases, involved domestic violence, child custody, child support, and other matters and benefited nearly 80,000 people. Foreclosures, evictions, and other housing cases, also almost one-third of cases, benefited approximately 94,000 individuals and families. Debt collection, bankruptcy, and other consumer cases, which are one-fifth of all cases, directly benefited 23,000 individuals and families. The private bar handled almost 8,000 cases through MLSC-funded organizations. Pro bono attorneys gave nearly 69,000 hours, representing almost $19 million in donated legal services.

And finally, helping to leverage pro bono, the judicare project referred about 1,000 judicare cases to nearly 500 reduced-fee attorneys that provided 22,000 hours of services, including at least 2,000 pro bono hours, which benefited 2,700 individuals and families.

Let me just give a few examples of the excellent work done by MLSC grantees over the last year as a result of the grants given by LSC. ''Shirley'' was thrilled to move into her new house in Baltimore County after nearly 3 years in a nursing facility with help from the Maryland Disability Law Center, MDLC. Shirley had a special voucher for non elderly persons with disabilities who are transitioning from nursing homes to the community, but ran into obstacles finding the right place and location to meet her needs. MDLC's Sun shine Folk, a group of advocates with disabilities who were formerly institutionalized, and MDLC's housing lawyers helped Shirley get an extension of her voucher and a professional housing transition team, ensuring that her rights to reasonable accommodations were protected.

Several years ago, Kenneth Brown's mother learned that her landlord was in foreclosure and that Fannie Mae wanted to evict her from her long-time Baltimore home. But through the Brown family's persistence, Public Justice Center's, PJC legal advocacy, and the support of community organizing partners, Kenneth and his brother Berveyn were able to buy the home this year. Together, PJC and the Browns challenged multiple eviction attempts in court and demanded needed repairs. PJC community organizing partners also secured a meeting with Fannie Mae executives. The Browns avoided eviction and ultimately bought the house from Fannie Mae.

After visiting Baltimore Catholic Charities Immigration Legal Services years ago for getting help obtaining her legal permanent residence green card, ''Jeannette'' returned to apply for naturalization with the help of a volunteer attorney during one of ILS's regular naturalization clinics, and was sworn in as a U.S. citizen.

I remain concerned about the access to justice gap that still exists today. We must do better than turn away more than 50 percent of eligible clients who seek assistance because of the lack of LSC program resources. I support full funding of LSC's budget request for fiscal year 2015. I strongly support lifting unnecessary, burdensome, and counterproductive congressional restrictions, such as restrictions on filing class action lawsuits and recovering attorneys' fees. Congress should also remove restrictions on the use of non-LSC funds by LSC grantees.

I commend the LSC, MLSC, and the many LSC-funded attorneys and private sector lawyers who have donated pro bono hours and who strive to live up to the commitment of our legal system to provide equal justice under law. Last week I attended a Federal judicial investiture ceremony in Maryland, and the judge swore to ''administer justice without respect to persons, and do equal right to the poor and to the rich.'' Congress needs to live up to the same commitment that we require our Federal judges to make before sitting on the bench and deciding cases. Let us make sure that millions of Americans who need access to legal assistance are provided that critical help in cases that will have a profound impact on their lives, their family, and their community.

ADDITIONAL STATEMENTS

REMEMBERING LIEUTENANT GENERAL MARC REYNOLDS, RETIRED

• Mr. HATCH. Mr. President, I am saddened to report to my Senate colleagues the passing of a true American hero and defender of our great Nation, Lt. Gen. Marc C. Reynolds, Retired, who passed away with his family by his side on Monday, July 21, 2014.

Marc was born in Chamberlain, a small town in south central South Dakota, to the late Morris and Ione Reynolds, in 1928, and graduated from Chamberlain High School in 1946. After high school, he moved on to Colorado where he worked at Estes Park, Montgomery Wards, and attended the University of Denver before entering the Air Force as an aviation cadet in January 1951. He was commissioned upon graduation from pilot training in February 1952.

Marc flew F–94B, F–94C, and F–101B air defense assignments between 1952 and 1961 that included rotations to Air Force bases in California, Washington, Okinawa, and Massachusetts. He transitioned to reconnaissance missions in 1961 with an assignment to the Royal Air Force Station in Bruntingthorpe, England, flying RB–66s. After completing Air Command and Staff College in 1966, Marc moved to the 460th Tactical Reconnaissance Wing at Tan Son Nhut Air Base, Republic of Vietnam, and flew 230 combat missions in RF–4C's over North Vietnam and the Republic of Vietnam.

Following his Southeast Asia tour of duty, Marc continued with air reconnaissance assignments in Japan and South Carolina. He graduated from the Naval War College in August 1973 and transitioned out of flying assignments and into logistics, where he was assigned to the Ogden Air Logistics Center, UT, initially as the director of distribution and later as director of maintenance.

In July 1976, he transferred to McClellan Air Force Base, CA, as the director of materiel management, Sacramento Air Logistics Center. In March 1978, he became the center's vice commander. Marc moved to Wright-Patterson Air Force Base, OH, in May 1980 as vice commander of the Air Force Acquisition Logistics Division and took command of the division in October 1981. In July 1983, he was appointed commander of the Ogden Air Logistics Center, UT.

In Marc's last assignment, he served as the vice commander, Air Force Logistics Command, with headquarters at Wright-Patterson Air Force Base, OH. In this assignment, he provided worldwide technical logistics support to all Air Force active and reserve force activities, military assistance program countries and designated U.S. government agencies.

Marc was a command pilot with more than 5,200 flying hours, including 475 combat hours. His military decorations and awards include the Distinguished Service Medal, the Legion of Merit, the Distinguished Flying Cross, the Meritorious Service Medal with oak leaf cluster, the Air Medal with 15 oak leaf clusters and the Air Force Commendation Medal with two oak leaf clusters.

Marc's passion for aviation continued after his Air Force retirement when he accepted a position on the Utah Aerospace Heritage Foundation board, which helped fund projects for the Hill Aerospace Museum located near Hill Air Force Base. He eventually became its chairman and served a total of 26 years on the board. Marc worked tirelessly in the community to raise funds and searched around the world to obtain aircraft displays to enhance Utah's great Air Force museum. Through Marc's efforts, the museum added two additional hangars and it continued as one of Utah's top visitor attractions. Marc was also a regular fixture at the local Ogden Airport where he kept his airplanes and loved swapping flying stories with his fellow ''airport bums.'' He enjoyed flying friends and family around the local area and never missed the annual flight back to Oshkosh, WI for the aviation celebration at Oshkosh.

Marc was the consummate gentleman and servant/leader who was loved by everyone who knew and worked with him. His gift was his extraordinary generosity and natural ability to make people feel important.

Marc is survived by his loving wife of 30 years, Ellie, six children: Pam Chatelain, Barbara Reynolds, Scott Reynolds, Lisa Oelke, Kristan Ingebretsen, and Karine Kucej, 15 grandchildren, and 12 great grandchildren. The family wishes to pass on a hearty thanks to the caregivers at Gentiva Hospice Health Care, McKay-Dee Hospital, and the George E. Wahlen Ogden Veterans Home, who took very good care of Marc in his time of need.

I wanted to personally highlight this great man's achievements, his service to our country and our freedoms, and his devotion to his family and his community.

It was my honor to have known Marc and to make tribute to yet another remarkable patriot that we are so proud of.●

TRIBUTE TO MERL PAAVERUD

● Ms. HEITKAMP. Mr. President, I wish to honor Merl Paaverud, who is retiring later this year after serving the State of North Dakota for the past 31 years. Merl has dedicated his life and career to documenting and preserving our State's history, and it is only fitting that his retirement culminates as North Dakota celebrates its 125th anniversary.

In 1983, Merl began his career with the State of North Dakota as supervisor for the Fort Totten State Historic Site where he had the challenge of managing the upkeep of the 1867 military post. After his service at Fort Totten, Merl was the grants administrator in the Office of Intergovernmental Assistance. From 1993 to 2001, he served as director of the North Dakota Archaeology and Historic Preservation Division.

Merl understands the importance of documenting and preserving the lives and stories of our State and its people for future generations. For the past 13 years, Merl has served as the director of the North Dakota State Historical Society. In this position, he led a significant expansion and renovation of the North Dakota Heritage Center and State Museum. Under his leadership, the center has become the ''Smithsonian of the Plains.'' In addition, he has played a pivotal role in the purchase of the boyhood home of Lawrence Welk, which will highlight the region's strong German-Russian heritage along with the important role of agriculture in our State.

Merl's passion and commitment to public service has been demonstrated through his service to our country during his time in the U.S. Air Force and in every position he has held throughout his years with the State of North Dakota. This dedication has not gone unnoticed by his peers or the public. His ever present smile and steady leadership will be missed. I want to thank Merl for his years of public service to the people of North Dakota, current and past, and wish him a happy and full retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 3212) to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes.

The message also announced that the House passed the following bills, without amendment:

S. 517. An act to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

S. 653. An act to provide for the establishment of the Special Envoy to promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1104. An act to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

The message further announced that the House passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3393. An act to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, and for other purposes.

H.R. 4984. An act to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes.

H.R. 5081. An act to amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes.

H.R. 5111. An act to improve the response to victims of child sex trafficking.

The message also announced that the House agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 103. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

H. Con. Res. 105. Concurrent resolution prohibiting the President from deploying or maintaining United States Armed Forces in a sustained combat role in Iraq without specific, subsequent statutory authorization.

H. Con. Res. 106. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001.

ENROLLED BILLS SIGNED

At 3:13 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 517. An act to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

H.R. 3212. An act to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4984. An act to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5081. An act to amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5111. An act to improve the response to victims of child sex trafficking; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 105. Concurrent resolution prohibiting the President from deploying or maintaining United States Armed Forces in a sustained combat role in Iraq without specific, subsequent statutory authorization; to the Committee on Foreign Relations.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Banking, Housing, and Urban Affairs, and referred as indicated:

S. 2352. A bill to re-impose sanctions on Russian arms exporter Rosoboronexport; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2666. A bill to prohibit future consideration of deferred action for childhood arrivals or work authorization for aliens who are not in lawful status, to facilitate the expedited processing of minors entering the United States across the southern border, and to require the Secretary of Defense to reimburse States for National Guard deployments in response to large-scale border crossings of unaccompanied alien children from noncontiguous countries.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3393. An act to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, and for other purposes.

S. 2673. A bill to enhance the strategic partnership between the United States and Israel.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 28, 2014, she had presented to the President of the United States the following enrolled bill:

S. 517. An act to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6618. A communication from the Deputy Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Money Market Fund Reform; Amendments to Form PF'' (RIN3235–AK61) received in the Office of the President of the Senate on July 24, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6619. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, United States Citizenship and Immigration Services, Department of Homeland Security, received in the Office of the President of the Senate on July 24, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6620. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to the temporary relocation of certain U.S. forces and embassy personnel in Libya, received during adjournment of the Senate on July 27, 2014; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TESTER, from the Committee on Indian Affairs:

Report to accompany S. 1818, a bill to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes (Rept. No. 113–220).

EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations:

Treaty Doc. 112–7: Convention on the Rights of Persons with Disabilities (Ex. Rept. 113–12)

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

As reported by the Committee on Foreign Relations:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Reservations, Understandings, and Declarations.

The Senate advises and consents to the ratification of the Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly on December 13, 2006, and signed by the United States of America on June 30, 2009 (''the Convention'') (Treaty Doc. 112–7), subject to the reservations of section 2, the understandings of section 3, and the declarations of section 4.

Sec. 2. Reservations.

The advice and consent of the Senate to the ratification of the Convention is subject to the following reservations, which shall be included in the instrument of ratification:

(1) The Convention shall be implemented by the Federal Government of the United States of America to the extent that it exercises legislative and judicial jurisdiction over the matters covered therein, and otherwise by the State and local governments. To the extent that State and local governments exercise jurisdiction over such matters, the obligations of the United States of America under the Convention are limited to the Federal Government's taking measures appropriate to the Federal system, which may include enforcement action against State and local actions that are inconsistent with the Constitution, the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), or other Federal laws, with the ultimate objective of fully implementing the Convention.

(2) The Constitution and laws of the United States of America establish extensive protections against discrimination, reaching all forms of governmental activity as well as significant areas of non-governmental activity. Individual privacy and freedom from governmental interference in certain private conduct are also recognized as among the fundamental values of our free and democratic society. The United States of America understands that by its terms the Convention can be read to require broad regulation of private conduct. To the extent it does, the United States of America does not accept any obligation under the Convention to enact legislation or take other measures with respect to private conduct except as mandated by the Constitution and laws of the United States of America.

(3) Article 15 of the Convention memorializes existing prohibitions on torture and other cruel, inhuman, or degrading treatment or punishment contained in Articles 2 and 16 of the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly December 10, 1984, and entered into force June 26, 1987 (the ''CAT'') and in Article 7 of the International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly December 16, 1966, and entered into force March 23, 1976 (the ''ICCPR''), and further provides that such protections shall be extended on an equal basis with respect to persons with disabilities. To ensure consistency of application, the obligations of the United States of America under Article 15 of the Convention shall be subject to the same reservations and understandings that apply for the United States of America with respect to Articles 1 and 16 of the CAT and Article 7 of the ICCPR.

Sec. 3. Understandings.

The advice and consent of the Senate to the ratification of the Convention is subject to the following understandings, which shall be included in the instrument of ratification:

(1) The United States of America understands that this Convention, including Article 8 thereof, does not authorize or require legislation or other action that would restrict the right of free speech, expression, and association protected by the Constitution and laws of the United States of America.

(2) Given that under Article 1 of the Convention ''[tithe purpose of the present Convention is to promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities,'' with respect to the application of the Convention to matters related to economic, social, and cultural rights, including in Articles 4(2), 24, 25, 27, 28, and 30, the United States of America understands that its obligations in this respect are to prevent discrimination on the basis of disability in the provision of any such rights insofar as they are recognized and implemented under United States law.

(3) Current United States law provides strong protections for persons with disabilities against unequal pay, including the right to equal pay for equal work. The United States of America understands the Convention to require the protection of rights of individuals with disabilities on an equal basis with others, including individuals in other protected groups, and does not require adoption of a comparable worth framework for persons with disabilities.

(4) Article 27 of the Convention provides that States Parties shall take appropriate steps to afford to individuals with disabilities the right to equal access to equal work, including nondiscrimination in hiring and promotion of employment of persons with disabilities in the public sector. Current interpretation of Section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) exempts

United States military departments charged with defense of the national security from liability with regard to members of the uniformed services. The United States of America understands the obligations of Article 27 to take appropriate steps as not affecting hiring, promotion, or other terms or conditions of employment of uniformed employees in the United States military departments, and that Article 27 does not recognize rights in this regard that exceed those rights available under United States law.

(5) The United States of America understands that the terms ''disability'', ''persons with disabilities'', and ''undue burden'' (terms that are not defined in the Convention), ''discrimination on the basis of disability'', and ''reasonable accommodation'' are defined for the United States of America coextensively with the definitions of such terms pursuant to relevant United States law.

(6) The United States understands that the Committee on the Rights of Persons with Disabilities, established under Article 34 of the Convention, has an important, but limited and advisory role. The United States understands that the Committee has no authority to compel actions by the United States, and the United States does not consider conclusions, recommendations, or general comments issued by the Committee as constituting customary international law or to be legally binding on the United States in any manner. The United States further understands that the Committee's interpretations of the Convention are not legally binding on the United States.

(7) The United States of America understands that the Convention is a nondiscrimination instrument. Therefore, nothing in the Convention, including Article 25, addresses the provision of any particular health program or procedure. Rather, the Convention requires that health programs and procedures are provided to individuals with disabilities on a nondiscriminatory basis.

(8) The United States of America understands that, for the United States of America, the term or principle of the ''best interests of the child'' as used in Article 7(2), will be applied and interpreted to be coextensive with its application and interpretation under United States law. Consistent with this understanding, nothing in Article 7 requires a change to existing United States Federal, State, or local law.

(9) Nothing in the Convention limits the rights of parents to homeschool their children.

Sec. 4. Declarations.

The advice and consent of the Senate to the ratification of the Convention is subject to the following declarations:

(1) The United States of America declares that the provisions of the Convention are not self-executing.

(2) The Senate declares that, in view of the reservations to be included in the instrument of ratification, current United States law fulfills or exceeds the obligations of the Convention for the United States of America

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 2670. A bill to prohibit gaming activities on certain Indian land in Arizona until the expiration of certain gaming compacts; to the Committee on Indian Affairs.

By Mr. TOOMEY:

S. 2671. A bill to amend title 49, United States Code, to require the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish a process for providing expedited and dignified passenger screening services for veterans traveling to visit war memorials built and dedicated to honor their service, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRUZ:

S. 2672. A bill to terminate the authority to waive certain provisions of law requiring the imposition of sanctions with respect to Iran, to codify certain sanctions imposed by executive order, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER (for herself, Mr. BLUNT, Ms. AYOTTE, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. 2673. A bill to enhance the strategic partnership between the United States and Israel; read the first time.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. WALSH, and Mr. TESTER):

S. 2674. A bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia River Basin Restoration Program; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself, Mr. WHITEHOUSE, Mrs. BOXER, Mr. REID, Mr. SANDERS, Mrs. SHAHEEN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. MARKEY, Mr. NELSON, Mr. SCHATZ, Mr. MERKLEY, Ms. WARREN, Ms. BALDWIN, Mr. KING, Ms. MIKULSKI, Mr. UDALL of Colorado, Mr. CARDIN, Mr. HARKIN, Mr. REED, Ms. STABENOW, and Mr. BENNET):

S. Res. 524. A resolution expressing the sense of the Senate regarding global climate change; to the Committee on Environment and Public Works.

By Mr. GRASSLEY:

S. Res. 525. A resolution designating July 30, 2014, as ''National Whistleblower Appreciation Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 240

At the request of Mr. TESTER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 240, a bill to amend title 10, United States Code, to modify the perfiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for nonregular service.

S. 375

At the request of Mr. TESTER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 822

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 942

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 1040

At the request of Mr. PORTMAN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1040, a bill to provide for the

award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 1410

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1463

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1562

At the request of Mr. SANDERS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1562, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 1645

At the request of Mr. BROWN, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1645, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 1647

At the request of Mr. ROBERTS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1647, a bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin.

S. 1695

At the request of Ms. CANTWELL, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1695, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 1875

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1875, a bill to provide for wildfire suppression operations, and for other purposes.

S. 2132

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 2132, a bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes.

S. 2182

At the request of Mr. WALSH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2250

At the request of Ms. KLOBUCHAR, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Oregon (Mr. WYDEN), the Senator from Maryland (Mr. CARDIN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2250, a bill to extend the Travel Promotion Act of 2009, and for other purposes.

S. 2329

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2340

At the request of Mr. BOOKER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2340, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 2348

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2348, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 2388

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2388, a bill to amend the Internal Revenue Code of 1986 to modify the depreciation recovery period for energy-efficient cool roof systems, and for other purposes.

S. 2458

At the request of Mr. WALSH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2458, a bill to provide student loan forgiveness for American Indian educators teaching in local educational agencies with a high percentage of American Indian students.

S. 2464

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2464, a bill to adopt the bison as the national mammal of the United States.

S. 2481

At the request of Mrs. SHAHEEN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2481, a bill to amend the Small Business Act to provide authority for sole source contracts for certain small business concerns owned and controlled by women, and for other purposes.

S. 2581

At the request of Mr. NELSON, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2581, a bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

S. 2631

At the request of Mr. CRUZ, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 2631, a bill to prevent the expansion of the Deferred Action for Childhood Arrivals program unlawfully created by Executive memorandum on August 15, 2012.

S. 2642

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2642, a bill to permit employees to request changes to their work schedules without fear of retaliation, and to ensure that employers consider these requests; and to require employers to provide more predictable and stable schedules for employees in certain growing low-wage occupations, and for other purposes.

S. 2649

At the request of Mr. GRAHAM, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2649, a bill to provide certain legal relief from politically motivated charges by the Government of Egypt.

S. 2667

At the request of Mr. KIRK, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2667, a bill to prohibit the exercise of any waiver of the imposition of certain sanctions with respect to Iran unless the President certifies to Congress that the waiver will not result in the provision of funds to the Government of Iran for activities in support of international terrorism, to develop nuclear weapons, or to violate the human rights of the people of Iran.

S.J. RES. 37

At the request of Mr. GRAHAM, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S.J. Res. 37, a joint resolution proposing an amendment to the Constitution of the United States relating to parental rights.

S. RES. 499

At the request of Mr. MANCHIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 499, a resolution congratulating the American Motorcyclist Association on its 90th Anniversary.

S. RES. 506

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 506, a resolution recognizing the patriotism and contributions of auxiliaries of veterans service organizations.

S. RES. 513

At the request of Ms. MIKULSKI, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 513, a resolution honoring the 70th anniversary of the Warsaw Uprising.

S. RES. 520

At the request of Mr. MURPHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 520, a resolution condemning the downing of Malaysia Airlines Flight 17 and expressing condolences to the families of the victims.

AMENDMENT NO. 3584

At the request of Mr. LEE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 3584 intended to be proposed to H.R. 5021, a bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

AMENDMENT NO. 3612

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of amendment No. 3612 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3625

At the request of Mr. BOOZMAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 3625 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3627

At the request of Mr. BOOZMAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 3627 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

AMENDMENT NO. 3686

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 3686 intended to be proposed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 524—EXPRESSING THE SENSE OF THE SENATE REGARDING GLOBAL CLIMATE CHANGE

Ms. KLOBUCHAR (for herself, Mr. WHITEHOUSE, Mrs. BOXER, Mr. REID, Mr. SANDERS, Mrs. SHAHEEN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. MARKEY, Mr. NELSON, Mr. SCHATZ, Mr. MERKLEY, Ms. WARREN, Ms. BALDWIN, Mr. KING, Ms. MIKULSKI, Mr. UDALL of Colorado, Mr. CARDIN, Mr. HARKIN, Mr. REED, Ms. STABENOW, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 524

Whereas the 2014 National Climate Assessment stated ''The most recent decade was the nation's warmest on record. U.S. temperatures are expected to continue to rise.'';

Whereas the 2014 National Climate Assessment was drafted by over 300 authors and extensively reviewed by the National Academy of Sciences and a Federal Advisory Committee of 60 members;

Whereas the United States Global Change Research Program found that ''[i]n the United States, climate change has already resulted in more frequent heat waves, extreme precipitation, wildfires, and water scarcity'';

Whereas the United States Global Change Research Program coordinates and integrates global change research across 13 Government agencies including the Department of Defense, the Department of State, the Department of Energy, the Department of Agriculture, the Department of Commerce, the Department of Health and Human Services, the Department of the Interior, the Department of Transportation, the Environmental Protection Agency, the National Aeronautics and Space Administration, the National Science Foundation, the Smithsonian Institution, and the United States Agency for International Development;

Whereas the 2014 Quadrennial Defense Review of the Department of Defense of the United States stated ''The pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world.''; and

Whereas a Defense Science Board report concluded that ''[c]limate change will only grow in concern for the United States and its security interests'': Now, therefore, be it

Resolved, That it is the sense of the Senate that global climate change is occurring and will continue to pose ongoing risks and challenges to the people and the Government of the United States.

SENATE RESOLUTION 525—DESIGNATING JULY 30, 2014, AS ''NATIONAL WHISTLEBLOWER APPRECIATION DAY''

Mr. GRASSLEY submitted the following resolution; which was considered and agreed to:

S. RES. 525

Whereas, in 1777, before the passage of the Bill of Rights, 10 sailors and marines blew the whistle on fraud and misconduct harmful to the United States;

Whereas the Founding Fathers unanimously supported the whistleblowers in words and deeds, including by releasing government records and providing monetary assistance for reasonable legal expenses necessary to prevent retaliation against the whistleblowers;

Whereas, on July 30, 1778, in demonstration of their full support for whistleblowers, the members of the Continental Congress unanimously enacted the first whistleblower legislation in the United States that read: ''*Resolved,* That it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge'' (legislation of July 30, 1778, reprinted in *Journals of the Continental Congress, 1774–1789*, ed. Worthington C. Ford et al. (Washington, D.C., 1904-37), 11:732);

Whereas whistleblowers risk their careers, jobs, and reputations by reporting waste, fraud, and abuse to the proper authorities;

Whereas, when providing proper authorities with lawful disclosures, whistleblowers save taxpayers in the United States billions of dollars each year and serve the public interest by ensuring that the United States remains an ethical and safe place; and

Whereas it is the public policy of the United States to encourage, in accordance with Federal law (including the Constitution, rules, and regulations) and consistent with the protection of classified information (including sources and methods of detection of classified information), honest and good faith reporting of misconduct, fraud, misdemeanors, and other crimes to the appropriate authority at the earliest time possible: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 30, 2014, as ''National Whistleblower Appreciation Day''; and

(2) ensures that the Federal Government implements the intent of the Founding Fathers, as reflected in the legislation enacted on July 30, 1778, by encouraging each executive agency to recognize National Whistleblower Appreciation Day by—

(A) informing employees, contractors working on behalf of United States taxpayers, and members of the public about the legal rights of citizens of the United States to ''blow the whistle'' by honest and good faith reporting of misconduct, fraud, misdemeanors, or other crimes to the appropriate authorities; and

(B) acknowledging the contributions of whistleblowers to combating waste, fraud, abuse, and violations of laws and regulations in the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3691. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3692. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3693. Mr. REID proposed an amendment to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America.

SA 3694. Mr. REID proposed an amendment to amendment SA 3693 proposed by Mr. REID to the bill S. 2569, supra.

SA 3695. Mr. REID proposed an amendment to the bill S. 2569, supra.

SA 3696. Mr. REID proposed an amendment to amendment SA 3695 proposed by Mr. REID to the bill S. 2569, supra.

SA 3697. Mr. REID proposed an amendment to amendment SA 3696 proposed by Mr. REID to the amendment SA 3695 proposed by Mr. REID to the bill S. 2569, supra.

SA 3698. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Ms. HEITKAMP, Mr. PRYOR, Ms. LANDRIEU, Mr. REED, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3699. Mr. REID (for Mr. SCHATZ) submitted an amendment intended to be proposed by Mr. Reid, of NV to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3691. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. ___. PROGRAM TO SUPPORT ESTABLISHMENT OF CENTERS FOR DEFENSE MANUFACTURING INNOVATION.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall establish a program (referred to in this section as the ''Program'') for the purposes set forth in paragraph (2).

(2) PURPOSES OF PROGRAM.—The purposes of the Program are as follows:

(A) To improve measurably the competitiveness of United States manufacturing relating to national security and defense and to increase domestic production.

(B) To help the United States meet national security and emergency preparedness needs by minimizing the risk of dependence on foreign sources for critical components.

(C) To stimulate United States leadership in advanced defense manufacturing research, innovation, and technology that has a strong potential to generate substantial benefits to the United States that extend significantly beyond the direct return to participants in the Program.

(D) To facilitate the transition of innovative and transformative technologies into scalable, cost-effective, and high-performing manufacturing capabilities.

(E) To facilitate access by manufacturing enterprises to capital-intensive infrastructure, including high-performance computing, in order to improve the speed with which such enterprises commercialize new processes and technologies.

(F) To accelerate measurably the development of an advanced manufacturing workforce.

(G) To leverage non-Federal sources of support to promote a stable and sustainable business model without the need for long-term Federal funding.

(3) SUPPORT.—The Secretary shall carry out the purposes set forth in paragraph (2) by supporting the establishment of centers for defense manufacturing innovation.

(b) CENTERS FOR DEFENSE MANUFACTURING INNOVATION.—

(1) IN GENERAL.—For purposes of the Program, a center for defense manufacturing innovation is a center that—

(A) has been established by a person or group of persons to address challenges in advanced defense manufacturing and to assist manufacturers in retaining or expanding industrial production and jobs in the United States;

(B) has a predominant focus on a manufacturing process, novel material, enabling technology, supply chain integration methodology, or another relevant aspect of advanced manufacturing, as determined by the Secretary, with the potential—

(i) to ensure domestic sources for critical defense material;

(ii) to maintain a qualitative technical military advantage;

(iii) to improve the competitiveness of United States manufacturing;

(iv) to accelerate non-Federal investment in advanced manufacturing production capacity in the United States;

(v) to increase measurably the non-Federal investment in advanced manufacturing research; and

(vi) to enable the commercial application of new technologies or industry-wide manufacturing processes; and

(C) includes active participation among representatives from multiple industrial entities, research universities, community colleges, and such other entities as the Secretary considers appropriate, which may include industry-led consortia, career and technical education schools, Federal laboratories, State, local, and tribal governments, businesses, educational institutions, and nonprofit organizations.

(2) ACTIVITIES.—Activities of a center for defense manufacturing innovation may include the following:

(A) Research, development, and demonstration projects, including proof-of-concept development and prototyping, to reduce the cost, time, and risk of commercializing new technologies and improvements in existing technologies, processes, products, and research and development of materials to solve pre-competitive industrial problems with economic or national security implications.

(B) Development and implementation of education and training courses, materials, and programs.

(C) Development of workforce recruitment programs and initiatives.

(D) Development of innovative methodologies and practices for supply chain integration and introduction of new technologies into supply chains.

(E) Development or updating of industry-led, shared-vision technology roadmaps for the development of technologies underpinning next-generation or transformational innovations.

(F) Outreach and engagement with small- and medium-sized manufacturing enterprises, in addition to large manufacturing enterprises.

(G) Coordinate with the Defense Production Act Committee to determine which technologies produced by the centers for defense manufacturing innovation warrant support for commercialization.

(H) Such other activities as the Secretary, in consultation with Federal departments and agencies whose missions contribute to or are affected by advanced defense manufacturing, considers consistent with the purposes described in subsection (a)(2).

(3) ADDITIONAL CENTERS FOR MANUFACTURING INNOVATION.—For purposes of the Program, the National Additive Manufacturing Innovation Institute and manufacturing centers formally recognized or under pending interagency review on the date of enactment of the this Act shall be considered centers for defense manufacturing innovation, but such centers shall not receive any preference for financial assistance under subsection (c) solely on the basis of being considered centers for defense manufacturing innovation under this paragraph.

(c) FINANCIAL ASSISTANCE TO ESTABLISH AND SUPPORT CENTERS FOR DEFENSE MANUFACTURING INNOVATION.—

(1) IN GENERAL.—In carrying out the Program, the Secretary of Defense shall award financial assistance to a person to assist the person in planning, establishing, or supporting a center for defense manufacturing innovation.

(2) APPLICATION.—A person seeking financial assistance under paragraph (1) shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require. The application shall, at a minimum, describe the specific sources and amounts of non-Federal financial support for the center on the date financial assistance is sought, as well as the anticipated sources and amounts of non-Federal financial support during the period for which the center could be eligible for continued Federal financial assistance under this section.

(3) OPEN PROCESS.—In soliciting applications for financial assistance under paragraph (1), the Secretary shall ensure an open process that will allow for the consideration of all applications relevant to advanced defense manufacturing regardless of technology area.

(4) SELECTION.—

(A) COMPETITIVE, MERIT REVIEW.—In awarding financial assistance under paragraph (1), the Secretary shall use a competitive, merit review process that includes peer review by a diverse group of individuals with relevant expertise.

(B) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—For each award of financial assistance under paragraph (1), the Secretary shall—

(i) make publicly available at the time of the award a description of the bases for the award, including an explanation of the relative merits of the winning applicant as compared to other applications received, if applicable; and

(ii) develop and implement metrics-based performance measures to assess the effectiveness of the activities funded.

(C) COLLABORATION.—In awarding financial assistance under paragraph (1), the Secretary shall collaborate with Federal departments and agencies whose missions contribute to or are affected by advanced defense manufacturing.

(D) CONSIDERATIONS.—In selecting a person who submitted an application under paragraph (2) for an award of financial assistance under paragraph (1) to plan, establish, or support a center for defense manufacturing innovation, the Secretary shall consider, at a minimum, the following:

(i) The potential of the center for defense manufacturing innovation to advance domestic manufacturing and the likelihood of economic impact in the predominant focus areas of the center for defense manufacturing innovation.

(ii) The commitment of continued financial support, advice, participation, and other contributions from non-Federal sources, to provide leverage and resources to promote a stable and sustainable business model without the need for long-term Federal funding.

(iii) Whether the financial support provided to the center from non-Federal sources

significantly outweighs the requested Federal financial assistance.

(iv) How the center will support core Department of Defense missions and address key technology priorities.

(v) How the center for defense manufacturing innovation will increase the non-Federal investment in advanced manufacturing research in the United States.

(vi) How the center for defense manufacturing innovation will engage with small- and medium-sized manufacturing enterprises, to improve the capacity of such enterprises to commercialize new processes and technologies.

(vii) How the center for defense manufacturing innovation will carry out educational and workforce activities to support the defense supply chian workforce in the United States.

(viii) Whether the predominant focus of the center for defense manufacturing innovation is a manufacturing process, novel material, enabling technology, supply chain integration methodology, or other relevant aspect of advanced manufacturing that has not already been commercialized, marketed, distributed, or sold by another entity.

(5) MATCHING FUNDS AND WEIGHTED PREFERENCES.—The total Federal financial assistance awarded to a person, including the financial assistance under paragraph (1), in a given year shall not exceed 50 percent of the total funding of the center in that year. The Secretary may give a weighted preference to applicants seeking less than the maximum amount of funding allowed under this paragraph.

(d) ADDITIONAL AUTHORITIES.—

(1) APPOINTMENT OF PERSONNEL AND CONTRACTS.—The Secretary may appoint such personnel and enter into such contracts, financial assistance agreements, and other agreements as the Secretary considers necessary or appropriate to carry out the Program, including support for research and development activities involving a center for defense manufacturing innovation.

(2) TRANSFER OF FUNDS.—The Secretary may transfer to other Federal agencies such sums as the Secretary considers necessary or appropriate to carry out the Program. No funds so transferred may be used to reimburse or otherwise pay for the costs of financial assistance incurred or commitments of financial assistance made prior to the date of enactment of the this Act.

(3) AUTHORITY OF OTHER AGENCIES.—In the event that the Secretary exercises the authority to transfer funds to another agency under paragraph (2), such agency may award and administer, under the same conditions and constraints applicable to the Secretary, all aspects of financial assistance awards under this section.

(4) USE OF RESOURCES.—In furtherance of the purposes of the Program, the Secretary may use, with the consent of a covered entity and with or without reimbursement, the land, services, equipment, personnel, and facilities of such covered entity.

(5) ACCEPTANCE OF RESOURCES.—In addition to amounts appropriated to carry out the Program, the Secretary may accept funds, services, equipment, personnel, and facilities from any covered entity to carry out the Program, subject to the same conditions and constraints otherwise applicable to the Secretary under this section.

(6) COVERED ENTITY.—For purposes of this subsection, a covered entity is any Federal department, Federal agency, instrumentality of the United States, State, local government, tribal government, Territory or possession of the United States, or of any political subdivision thereof, or international organization, or any public or private entity or individual.

(e) PATENTS.—Chapter 18 of title 35, United States Code, shall apply to any funding agreement (as defined in section 201 of that title) awarded to new or existing centers for defense manufacturing innovation.

(f) SUNSET.—The authority to provide financial assistance to plan for, establish, or support a center for defense manufacturing innovation under subsection (c) terminates effective December 31, 2015.

SA 3692. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVI, add the following:

SEC. 2614. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

The table in section 2604 of the Military Construction Authorization Act for Fiscal year 2014 (division B of Public Law 113–66; 127 Stat. 1002) is amended in the item relating to Martin State Airport, Maryland, for construction of a CYBER/ISR Facility by striking ''$8,000,000'' in the amount column and inserting ''$12,900,000''.

SA 3693. Mr. REID proposed an amendment to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3694. Mr. REID proposed an amendment to amendment SA 3693 proposed by Mr. REID to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

SA 3695. Mr. REID proposed an amendment to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3696. Mr. REID proposed an amendment to amendment SA 3695 proposed by Mr. REID to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

SA 3697. Mr. REID proposed an amendment to amendment SA 3696 proposed by Mr. REID to the amendment SA 3695 proposed by Mr. REID to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; as follows:

In the amendment, strike ''4'' and insert ''5''.

SA 3698. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Ms. HEITKAMP, Mr. PRYOR, Ms. LANDRIEU, Mr. REED, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE II—MARKETPLACE AND INTERNET TAX FAIRNESS ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Marketplace and Internet Tax Fairness Act''.

Subtitle A—Marketplace Fairness

SEC. 211. AUTHORIZATION TO REQUIRE COLLECTION OF SALES AND USE TAXES.

(a) STREAMLINED SALES AND USE TAX AGREEMENT.—Each Member State under the Streamlined Sales and Use Tax Agreement is authorized to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that Member State pursuant to the provisions of the Streamlined Sales and Use Tax Agreement, but only if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict with the minimum simplification requirements in subsection (b)(2). Subject to section 212(h), a State may exercise authority under this subtitle beginning 180 days after the State publishes notice of the State's intent to exercise the authority under this subtitle.

(b) ALTERNATIVE.—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Subject to section 212(h), such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this subtitle—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this subtitle shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide, with respect to all remote sales sourced to the State—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose

on nonremote sellers with respect to the collection of sales and use taxes under this subtitle. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State with respect to products and services to which paragraph (1)(B) does not apply.

(C) Source all remote sales in compliance with the sourcing definition set forth in section 213(7).

(D)(i) Make publicly available information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database.

(ii) Provide software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect any rate changes and any changes to the products and services specified under paragraph (1)(B), as described in subparagraph (H); and

(iii) Establish certification procedures for persons to be approved as certified software providers, with any software provided by such providers to be capable of calculating and filing sales and use taxes in all States qualified under this subtitle.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of any rate change or any change to the products and services specified under paragraph (1)(B) by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) SMALL SELLER EXCEPTION.—A State is authorized to require a remote seller to collect sales and use taxes under this subtitle only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding $1,000,000. For purposes of determining whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 212. LIMITATIONS.

(a) IN GENERAL.—Nothing in this subtitle shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) NO EFFECT ON NEXUS.—This subtitle shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) NO EFFECT ON SELLER CHOICE.—Nothing in this subtitle shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller's choice.

(d) LICENSING AND REGULATORY REQUIREMENTS.—Nothing in this subtitle shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) NO NEW TAXES.—Nothing in this subtitle shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) NO EFFECT ON INTRASTATE SALES.—The provisions of this subtitle shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 211(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.—Nothing in this subtitle shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116–126).

(h) LIMITATION ON INITIAL COLLECTION OF SALES AND USE TAXES FROM REMOTE SALES.—A State may not begin to exercise the authority under this subtitle—

(1) before the date that is 1 year after the date of the enactment of this Act; and

(2) during the period beginning October 1 and ending on December 31 of the first calendar year beginning after the date of the enactment of this Act.

SEC. 213. DEFINITIONS AND SPECIAL RULES.

In this subtitle:

(1) CERTIFIED SOFTWARE PROVIDER.—The term ''certified software provider'' means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 211(b)(2)(D)(ii); and

(B) is certified by a State to so provide such software.

(2) LOCALITY; LOCAL.—The terms ''locality'' and ''local'' refer to any political subdivision of a State.

(3) MEMBER STATE.—The term ''Member State''—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) PERSON.—The term ''person'' means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) REMOTE SALE.—The term ''remote sale'' means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this subtitle.

(6) REMOTE SELLER.—The term ''remote seller'' means a person that makes remote sales in the State.

(7) SOURCED.—For purposes of a State granted authority under section 211(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer's address that is either known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer's payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 211(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(9) STREAMLINED SALES AND USE TAX AGREEMENT.—The term ''Streamlined Sales and Use Tax Agreement'' means the multi-State agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and as further amended from time to time.

SEC. 214. SEVERABILITY.

If any provision of this subtitle or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 215. PREEMPTION.

Except as otherwise provided in this subtitle, this subtitle shall not be construed to preempt or limit any power exercised or to be exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.

Subtitle B—Internet Tax Freedom Act

SEC. 221. EXTENSION OF INTERNET TAX FREEDOM ACT.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''November 1, 2014'' and inserting ''November 1, 2024''.

(b) GRANDFATHERING OF STATES THAT TAX INTERNET ACCESS.—Section 1104(a)(2)(A) of such Act is amended by striking ''November 1, 2014'' and inserting ''November 1, 2024''.

SA 3699. Mr. REID (for Mr. SCHATZ) submitted an amendment intended to be proposed by Mr. REID of Nevada to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 725. PILOT PROGRAM ON PROVISION OF HEALTH CARE IN MILITARY TREATMENT FACILITIES FOR CIVILIAN INDIVIDUALS WITH CERTAIN DISEASES NOT OTHERWISE ELIGIBLE FOR CARE IN SUCH FACILITIES.

(a) PILOT PROGRAM AUTHORIZED.—Under regulations prescribed by the Secretary of Defense and subject to the provisions of this section, the Secretary may carry out a pilot program to assess the feasibility and advisability of providing specialized health care or treatment at military treatment facilities for civilian individuals described in subsection (b) who are not otherwise eligible for care in such facilities under chapter 55 of title 10, United States Code, or any other provision of law, for the disease or condition of such individuals as specified in that subsection.

(b) COVERED INDIVIDUALS.—Civilian individuals described in this subsection are civilian individuals who—

(1) have a disease or condition that, under commonly accepted medical guidelines, requires specialized care or treatment in or through a civilian care center capable of providing care or treatment specifically tailored to such disease or condition; and

(2) reside more than 100 miles from the nearest civilian care center capable of providing care or treatment specifically tailored to such disease or condition.

(c) LOCATIONS.—

(1) IN GENERAL.—The pilot program may be carried out at not more than three military treatment facilities selected by the Secretary for purposes of the pilot program.

(2) LOCATION OF FACILITIES.—The military treatment facilities selected by the Secretary shall be in remote areas or areas that are underserved in access to the specialized care or treatment to be provided under the pilot program.

(d) DURATION.—The authority of the Secretary to carry out the pilot program shall cease three years after the commencement of the pilot program.

(e) CARE AND TREATMENT AVAILABLE.—

(1) IN GENERAL.—A military treatment facility providing specialized care and treatment for an individual under the pilot program may provide the following:

(A) Specialized care and treatment for the disease or condition of the individual as specified in subsection (b).

(B) Such other care and treatment as may be medically necessary (as determined pursuant to the regulations under this section) in connection with the provision of care and treatment under subparagraph (A).

(2) CARE AND TREATMENT ONLY ON SPACE-AVAILABLE BASIS.—A military treatment facility may not provide specialized care and treatment under the pilot program if the provision of such care and treatment would prevent or limit the availability of health care services at the facility for members of the Armed Forces on active duty or any other covered beneficiaries under the TRICARE program who are eligible for care and services in or through the facility.

(f) PAYMENT FOR CARE.—

(1) IN GENERAL.—An individual may not be provided any care or treatment under the pilot program unless the individual reimburses the Department of Defense for the full cost of providing such care or treatment.

(2) PAYMENT IN ADVANCE.—A military treatment facility may require payment under this subsection before providing any care or treatment under the pilot program.

(g) REPORT.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A list of the military treatment facilities at which care and treatment were provided under the pilot program.

(2) A description of the specialized care and treatment provided under the pilot program.

(3) A description of the number of individuals provided care and treatment under the pilot program, by aggregate and by military treatment facility at which provided.

(4) A description of the total amount paid or reimbursed to the Department of Defense under subsection (f).

(5) Such recommendations as the Secretary considers appropriate in light of the pilot program for the provision of specialized care and treatment through military treatment facilities to individuals not otherwise eligible for such care and treatment through such facilities.

(h) DEFINITIONS.—In this section, the terms ''TRICARE program'' and ''covered beneficiary'' have the meaning given such terms in section 1072 of title 10, United States Code.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, July 30, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a business meeting to consider the following bills: S. 1948, A bill to promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program; S. 2299, A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; S. 2442, A bill to direct the Secretary of the Interior to take certain land and mineral rights on the reservation of the Northern Cheyenne Tribe of Montana and other culturally important land into trust for the benefit of the Northern Cheyenne Tribe, and for other purposes; S. 2465, A bill to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico; S. 2479, A bill to provide for a land conveyance in the State of Nevada; S. 2480, A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for certain Indian tribes, and for other purposes and H.R. 4002, An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes. Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, the President pro tempore of the Senate has asked that Joshua Goldberg, an intern in his office, be granted floor privileges for tomorrow, July 29, 2014.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that tomorrow, Tuesday, July 29, 2014, the Senate execute the order with respect to Executive Calendar No. 952, McDonald, with the only debate time occurring from 12 noon to 12:30 p.m., and from 2:15 p.m. until 2:45 p.m., equally divided in the usual form, and that at 2:45 p.m. the Senate proceed to vote on the nomination, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that following Senate consideration of Executive Calendar No. 952, McDonald, on Tuesday, July 29, the Senate remain in executive session and consider Calendar Nos. 530 Andre, 543, Hoza, and 899, Polaschik; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that any rollcall votes following the first in the series be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, for the information of all Senators, we would hope we can do those by voice vote.

NATIONAL WHISTLEBLOWER APPRECIATION DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration S. Res. 525, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 525) designating July 30, 2014, as ''National Whistleblower Appreciation Day''.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the

preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 525) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under Submitted Resolutions.'')

MEASURES READ THE FIRST TIME—S. 2673 AND H.R. 3393

Mr. REID. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title.

The assistant bill clerk read as follows:

A bill (S. 2673) to enhance the strategic partnership between the United States and Israel.

A bill (H.R. 3393) to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, and for other purposes.

Mr. REID. I now ask for the second reading of both of these matters and object my own request.

The PRESIDING OFFICER. The objections are noted and heard. The bills will receive their second reading on the next legislative day.

DISCHARGE AND REFERRAL—S. 2352

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 2352, and the bill be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JULY 29, 2014

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, July 29, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, there be a period of morning business until 12 noon, with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that at 12 noon the Senate proceed to executive session to consider Calendar No. 952, as provided under the previous order; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; and finally, upon disposition of Calendar No. 899 and resuming legislative session, the Senate execute the order with respect to H.R. 5021.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, at 2:45 p.m. tomorrow we will have a rollcall vote on the confirmation of the McDonald nomination to be the Secretary of Veterans Affairs, followed by several voice votes to confirm the nominations of Andre, Hoza, and Polaschik. We will then turn to consideration of the Highway Transportation Funding Act.

Senators should expect five rollcall votes tomorrow evening in relation to the Wyden, Carper-Corker-Boxer, Lee, and Toomey amendments and on passage of H.R. 5021, as amended, if amended. Senators will be notified when those votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:13 p.m., adjourned until Tuesday, July 29, 2014, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

THERESE W. MCMILLAN, OF CALIFORNIA, TO BE FEDERAL TRANSIT ADMINISTRATOR, VICE PETER M. ROGOFF.

DEPARTMENT OF COMMERCE

WILLIE E. MAY, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR STANDARDS AND TECHNOLOGY, VICE PATRICK GALLAGHER, RESIGNED.

DEPARTMENT OF STATE

THOMAS FRIEDEN, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION, VICE NILS MAARTEN PARIN DAULAIRE, RESIGNED.

PERRY L. HOLLOWAY, OF SOUTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO–OPERATIVE REPUBLIC OF GUYANA.

PAMELA LEORA SPRATLEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UZBEKISTAN.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 28, 2014:

DEPARTMENT OF DEFENSE

BRIAN P. MCKEON, OF NEW YORK, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE.

CONSUMER PRODUCT SAFETY COMMISSION

JOSEPH P. MOHOROVIC, OF ILLINOIS, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2012.

ELLIOT F. KAYE, OF NEW YORK, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2013.

ELLIOT F. KAYE, OF NEW YORK, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION.

THE JUDICIARY

PAMELA HARRIS, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT.